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Superfund Program Management Manual, Fiscal Year 1990. Volume 1

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Superfund Program Management Manual

Fiscal Year 1990

Volume 1

- Program Priorities and Goals
- SCAP Procedures
- National Information Needs
- SCAP/SPMS Targets and Measures
- Program Planning and Reporting Requirements
- Financial Management
- Program Assessment
- Workload Models

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Abstract: Contents: Program priorities and goal; Superfund Comprehensive Accomplishments Plan (SCAP) procedures; National information needs; SCAP/SPMS (Strategic Planning and Management System) targets and measures; Program planning and reporting requirements; Financial management; Program assessment; Workload models.

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FY90

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FY90 PROGRAM MANAGER'S SCHEDULE

Regional Data Pull

Task \ Month	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV
SCAP Planning Data	6	7	7	8	7	16	6	7	1	9	7	7	5	7
Accomplishment Reporting	6	7	7	8	7	7	6	7	7	9	7	10	5	7

Related Activities and Headquarters Dates

Task	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV
FY90 Budget					P/A									
FY91 Budget					P					P →	⑩			
FY92 Budget					P			P						
Workload Model					P →	⑲				P →	→	⑰		
FY89 SCAP/SPMS Targets & Measures	A													
FY90 SCAP/SPMS Targets & Measures		P		A			A			A			A	
FY91 SCAP/SPMS Targets & Measures				P	P					P →	⑩			P
Superfund Progress Report	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Monthly Management Reports	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A	P/A
ProActive Memo	P/A			P/A			P/A			P/A			P/A	
Advice of Allowance	④		P →	④		P →	④		P →	⑤		P →	③	
RA Project Status Review					P/A				P/A	P/A	P/A	P/A		
Mid-Year Assessment						P/A								
End-of-Year Assessment	A												A	

"P" INDICATES PLANNING (#) INDICATES KEY HQ DATES "A" INDICATES ACCOMPLISHMENTS

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS

QUARTER 1	**OCTOBER**
First quarter Advice of Allowance approved by the AA SWER and Comptroller	4
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) AA monthly report; 2) special program reports; 3) end-of-year assessment for FY89; 4) Superfund Progress Report; 5) final FY89 SPMS Accomplishments; and 6) Dingell Report.	6
Data pulled from CERCLIS/CERHELP for pro-active memorandum	6
	NOVEMBER
FY90 final targets, including open season changes, set in CERHELP	7
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	7
OMSE SPMS verified (fourth quarter FY89)	13-17
OMSE SPMS system closes (fourth quarter FY89)	20
	DECEMBER
Draft FY91 Operating Guidance and SPMS Measures sent to regions for review	1
Pull of CERCLIS/CERHELP data for second quarter Advice of Allowance.	7
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	7
Second quarter Advice of Allowance request submitted to AA SWER and placed in CERHELP	15
Regions input Advice of Allowance to Integrated Financial Management System	29

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (Cont'd)

QUARTER 2	**JANUARY**
Second quarter Advice of Allowance approved by the AA SWER and Comptroller	4
HQ pulls SCAP data from CERCLIS and baseline FY91 targets and measures are developed using SCAP Methodologies	5
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) entry into OMSE SPMS system for first quarterly review; 2) Superfund Progress Report; 3) special program reports; 4) AA monthly report; and 5) Dingell Report.	8
Data pulled from CERCLIS/CERHELP for pro-active memorandum	8
OMSE SPMS data verified	8-12
OMSE SPMS system closes	12
Call memorandum containing schedules for semi-annual planning and mid-year assessment and baseline targets and measures sent to regions	12
Regional comments on FY91 Operating Guidance due	15
Program Management (SCAP/Workload Model)	23-24
	FEBRUARY
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	7
Data pulled from CERCLIS/CERHELP to support negotiation of: 1) preliminary SCAP/SPMS FY91 targets; 2) preliminary FY91 annual regional budget; 3) preliminary FY91 FTE allocation; and 4) budget projections for FY92 projects.	7
Data pulled from CERCLIS for review of FY90 and FY91 RA project schedules.	7

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (Cont'd)

	MARCH
Final FY90 Operating Guidance issued	1
Complete HQ/regional negotiations of: 1) FY90 third and fourth quarter targets and budget; 2) FY91 SCAP/SPMS targets; 3) FY91 annual regional budget; and 4) FY92 outyear budget.	2
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) AA monthly report; 3) special program reports; and 4) Dingell Report.	7
Data pulled from CERCLIS for mid-year assessment	7
Pull CERCLIS/CERHELP data for third quarter advice of allowance	16
CERCLIS/CERHELP revised to reflect negotiated FY92 RA budget and FY91 preliminary targets and measures	16
Run workload model for preliminary FY91 FTE distribution	19
Third quarter Advice of Allowance request submitted to the AA SWER and placed in CERHELP	23
Memorandum to regions on preliminary targets and FTEs	27
Draft FY91 SCAP Manual distributed for review	30
Regions input Advice of Allowance to Integrated Financial Management System	30
QUARTER 3	**APRIL**
Issue Addendum for FY91 Operating Guidance	2
Third quarter Advice of Allowance approved by the AA SWER and Comptroller	4
Accomplishments data pulled from CERCLIS/CERHELP and: 1) entered into OMSE system for second quarterly review; 2) provided for Superfund Progress Report; 3) AA monthly report; 4) special program reports; and 5) Dingell Report.	6
Pull of data from CERCLIS/CERHELP for pro-active memorandum	6
OMSE SPMS data verified (second quarter accomplishments)	9-13
OMSE SPMS system closes (second quarter accomplishments)	13
Program Management (Budget/pricing factor) meeting	24-25

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (Cont'd)

	MAY
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	7
Pull planning data for outyear budget	7
Regional Comments on FY91 SCAP Manual due	11
	JUNE
Pull of CERCLIS/CERHELP data for fourth quarter Advice of Allowance	1
Data pulled from CERCLIS for review of fourth quarter RA Schedules	1
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	7
Complete negotiations on RA, removal and enforcement 4Q AOAs	15
Final FY91 SCAP Manual	15
Call memorandum and FY91 proposed regional budget sent to the regions for semi-annual planning update	15
Fourth quarter Advice of Allowance request submitted to the AA SWER and placed in CERHELP	22
Regions input Advice of Allowance to Integrated Financial Management System	29
QUARTER 4	**JULY**
Fourth quarter Advice of Allowance approved by the AA SWER and Comptroller	5
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) entry into OMSE SPMS; 2) Superfund Progess Report; 3) special progam reports; 4) AA monthly report; and 5) Dingell Report.	9

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (Cont'd)

	JULY
Data pulled from CERCLIS/CERHELP for pro-active memorandum	9
Data pulled from CERCLIS for review of fourth quarter RA projects	9
Data pulled from CERCLIS/CERHELP to support negotiation of: 1) final SCAP/SPMS FY91 targets; 2) first quarter FY91 removals; 3) final FY91 operating plan; and 4) final FY91 FTE allocation.	9
OMSE SPMS data verified (third quarter accomplishments)	9-13
OMSE SPMS system closes (third quarter accomplishments)	13
	AUGUST
Accomplishments data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	7
Data pulled from CERCLIS for review of fourth quarter RA projects	7
Complete negotiations on final FY91 SCAP/SPMS targets and budget	10
Memorandum to regions on final FY91 budgets, targets and measures	24
	SEPTEMBER
CERCLIS/CERHELP revised to reflect final FY91 budgets, targets and measures	7
Data pulled from CERCLIS for review of fourth quarter RA projects	7
Data pulled from CERCLIS/CERHELP for first quarter Advice of Allowance	7
Accomplishments data pulled from CERCLIS and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; and 4) Dingell Report.	10
FY91 first quarter Advice of Allowance request submitted to the AA SWER and placed in CERHELP	14
Run workload model for final FY91 FTE distribution	17
Regions input Advice of Allowance to Integrated Financial Management System	28

MANAGER'S SCHEDULE OF SIGNIFICANT EVENTS (Cont'd)

QUARTER 1 (FY91)	OCTOBER
First quarter Advice of Allowance approved by the AA SWER and the Comptroller	3
Accomplishment data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) special program reports; 3) AA monthly report; 4) entry into OMSE system for FY90 SPMS end-of-year; 5) FY90 end-of-year assessment; and 6) Dingell Report.	5
Data pulled from CERCLIS/CERHELP for pro-active memorandum	5
	NOVEMBER
Accomplishment data pulled from CERCLIS/CERHELP and provided for: 1) Superfund Progress Report; 2) AA monthly report; 3) special program reports; and 4) Dingell Report.	7
FY91 final targets, including open season changes, set in CERHELP	7
OMSE SPMS verified (fourth quarter FY90)	12-16
OMSE SPMS system closes (fourth quarter FY90)	16

EXECUTIVE SUMMARY

OVERVIEW

The FY90 Superfund Program Management Manual presents and discusses the relationships among the major Superfund program management tools. This includes identifying program goals and priorities, translating those program priorities into targets and measures that are planned and tracked through the Superfund Comprehensive Accomplishments Plan (SCAP), using the targets and measures to allocate resources and, finally, using the evaluation process to determine whether program goals are being met.

Regions must develop solutions to performance problems as they encounter them, and should strive for a balanced approach to site work, encouraging both potentially responsible parties (PRPs) and states to assume responsibility for response activities. States and Regional Counsel should be consulted throughout the SCAP planning process as a primary means of ensuring an integrated and coordinated program effort.

PROGRAM GOALS

The central mission of the Superfund program is to use PRP resources as a first option and then Fund or state resources to maximize the protection of human health and the environment through fast, effective, and efficient cleanup of priority hazardous waste sites and releases. The Office of Waste Programs Enforcement (OWPE) and the Office of Emergency and Remedial Response (OERR) collaborated on the development of a matrix designed to identify and place in rough priority order the Superfund program goals for FY90 and the activities which support achievement of those objectives.

The matrix is designed to 1) identify relative program priorities; 2) list major program activities for which resources are provided; and 3) provide a framework to estimate the funding levels needed to support the activities.

The overall goals identified in the matrix (Exhibit ES-1) are:

- Mitigate immediate threats;
- Move sites into cleanup using PRP resources as a first resort; and
- Maintain a baseline of supporting activities.

The matrix will be used by HQ and the regions in making trade off decisions during:

- Budget formulation;
- Operating plan development and initial and final target setting and negotiation; and
- Mid-year adjustment.

EXHIBIT ES-1

Priority Setting Matrix

PROGRAM PRIORITY	ACTIVITIES	FUNDING LEVEL*
I. Mitigate Immediate Threat	Classic Emergencies (Removal and Remedial, Fund and Enforcement)	A
	NPL Removals (Fund and Enforcement)	B
	AOs for NPL Removals	B
II. Move Sites to Cleanup		
A. Support Ongoing Work to Completion of Current Phase (Operable Unit)	Support Ongoing RD	A
	Ongoing RA (Fund and PRP)	A
	Ongoing RD/RA Negotiations	A**
	Ongoing RI/FS (Fund and PRP)	A
	Ongoing 107 (SOL) Litigation	A
	Ongoing 106 Litigation for Remedy	A
	Ongoing 104 Access	A
	Ongoing Compliance Enforcement	A
B. Take Enforcement Actions to Ensure a Strong Enforcement Presence and to maximize Likelihood of PRP Takeover	RD/RA Negotiations (New)	A**
	PRP RD/RA Starts	A
	106 Settlement Referrals	A
	106 UAOs for RD/RA	A
	107 SOL Referrals	A***
	106 Litigation for Remedy	A
	Mixed Funding RD and RA	A
C. Fund RD and RA Starts Where Enforcement Action is not appropriate	RD Start (Fund)	A
	RA Start (Fund)	B
D. Federal Facilities	Negotiate IAGs	A
	Oversee IAGs	A

'A' = ALL and 'B' = BASELINE

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates that we continue to carry out a level of activities consistent with prior year activity. "A" means all those activities available to be done.

** Provided that timely special notice, special notice waiver or general notice with timelines has been issued and extensions have been requested/approved consistent with Agency policy.

*** Consistent with cost recovery strategy.

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

EXHIBIT ES-1

Priority Setting Matrix (Cont.)

PROGRAM PRIORITY	ACTIVITIES	FUNDING LEVEL*
II. Move Sites to Cleanup (continued)		
E. Maximize Cost Recovery	Non-SOL RA Referrals	B
F. Initiate RI/FS and Other Activities to Keep Pipeline Balanced	PRP RI/FS	B
	Fund RI/FS	B
	Listing Sites	B
	State Enforcement RI/FS	B
G. Pre-Remedial, Removal, Enforcement and State Support Activities to Support Long Term Goals	Non-NPL Time Critical Removals	B
	AOs for Non-NPL Time Crit. Removal	B
	Pre-Remedial (PA/SI)	B
	107 Non-SOL Pre-RA Referrals	B***
	TAG Grants	B
	Federal Facilities Pre-Remedial	B
	Non-NPL PRP Search	B
	Core Program Cooperative Agreements	B
	107 Administrative Settlements	B
New Initiatives		
Essential Program Management Elements		
A. Critical Path Support Activities	PRP Searches	Fund at Level to Support Program Integrity
	CLP	
	Removal Support	
	Remedial Project Support	
	Community Relations	
B. Core Program Support	CERCLIS Database Management	Fund at Level to Support Program Integrity
	Contract Management	
	Records Management including Administrative Records	
	Program Management	
	State Program Support	

'A' = ALL and 'B' = BASELINE

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates that we continue to carry out a level of activities consistent with prior year activity. "A" means all those activities available to be done.

*** Consistent with cost recovery strategy

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN

The SCAP is the central mechanism for planning, tracking and evaluating Superfund program activities. Because of its program-wide importance, SCAP has a dynamic, interdependent relationship with other Agency planning and management systems, including:

- Agency Operating Guidance;
- Superfund Budget;
- Strategic Planning and Management System (SPMS);
- Superfund Progress Report (SPR); and
- Superfund Workload Models.

Priority activities (as reflected on Exhibit ES-1) and programmatic guidance are used to guide the development of the SCAP. Planning reflects current goals under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), the National Contingency Plan (NCP), and the FY90 Agency Operating Guidance.

INTEGRATED PLANNING

Integrated planning is the responsibility of both HQ and the regions. HQ adjusts resources within and between the response and enforcement programs to ensure that priority activities have adequate resources. Regions provide specific input on the level of resources needed to accomplish priority activities, and negotiate SPMS and SCAP commitments consistent with realistic site planning.

Regions should realize, however, that the flexibility to adjust resources in response to changing program conditions decreases through time. There is maximum flexibility during the budget formulation 12 to 18 months prior to the fiscal year and minimum flexibility once the operating year starts. There are no contingency reserves in the operating plan. As a result, once the regional operating plan is established at the start of the year, resources can be shifted to a region only at the expense of resources for other regions.

Exhibit ES-2, on the following page, describes the HQ and regional responsibilities in the integrated planning process.

ENVIRONMENTAL PRIORITIZATION

In FY90, resources for enforcement activities and fund-financed RAs are constrained. These resource problems have led to the development of a prioritization scheme which ensures that the highest environmental priority sites are addressed and enforcement flexibility is maintained. The prioritization scheme is not absolute. Programmatic and other implementation factors could cause a site to be elevated in priority at either the negotiation stage or the RA stage. It is important to realize that all NPL sites which require further action after the RI/FS are, by definition, priority sites. The issue is their relative priority.

EXHIBIT ES-2

INTEGRATED PLANNING RESPONSIBILITIES

REGIONS	HQ
Manage projects to integrate enforcement and fund milestones and to ensure that schedules and timelines are met	Joint establishment of program priorities
Provide accurate, complete and timely project planning data in CERCLIS and SCAP	Joint review of operating plans and site commitments
Follow established planning procedures and requirements	Work with regional managers on adjusting resources to meet program priorities
Recognize that missed commitments in the operating year severely affect resource availability in future years	Timely communication with the regions on changes/additions to SCAP schedules.
	Reprogram resources between Fund and Enforcement to support priority activities
	Provide funding and FTE when targets are negotiated
	Involve regions in preliminary resource requests
	Develop policy and guidance in response to Congressional or Agency initiatives

Enforcement activity budget constraints require that resources focus on actions to ensure timely decisions as to whether settlements are likely to be achieved, or Fund-financed response or litigation should be employed. RA funding constraints require prioritization of scheduled projects to ensure that the most environmentally significant projects can be supported. These criteria will be applied along with other program considerations, including addressing sites through the operable unit or segmenting approach, maximizing removal activity at NPL sites (including removal assessments), and breaking out actions consistent with the "bias for action" approach.

The following sites and/or projects will not be evaluated under the environmental criteria:

- Small dollar RA projects which lead to deletion upon completion;
- Phased construction projects or actions that have been incrementally funded;
- Mixed funding response actions; and
- Long term response activities.

The RA environmental prioritization criteria is contained in Exhibit ES-3. Regions should ensure that RD projects in the pipeline continue moving toward completion even if it does not appear, based on the decisions made prior to the start of the FY, that these sites will be funded for RA. Since the status of RA projects and the funding decisions will be reassessed at mid year and throughout the third and fourth quarters, sites that are ready to proceed could be moved up in the funding queue.

NATIONAL INFORMATION NEEDS

Although the major focus of this manual is the SCAP process and its planning and reporting requirements, it must be recognized that Superfund program management requires information beyond SCAP-specific reporting. Senior management must be kept current on all aspects of progress at the regional level. Program offices require specific program information to adequately manage segments of the Superfund process. Growing public concerns related to hazardous waste management require timely and extensive data reporting. Information beyond SCAP-specific data will continue to play a critical role in managing and reporting progress of the Superfund program. On the fifth working day of each month the national program office pulls data from the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) on a selected number of key indicators of progress in the Superfund program. CERCLIS must be up-to-date when these reports are prepared. The most effective way to assure that CERCLIS is up-to-date is to enter data as an event or activity occurs. Within 5 working days of an accomplishment (e.g., ROD signature, RA obligation, PRP search completion, Consent Decree referral, issuance of special notice letters, etc.) regions are expected to have recorded the information in CERCLIS. This will ensure that the monthly and quarterly management reports given to senior program managers, the Assistant Administrator, the Administrator, Congress or the news media are accurate and that any interim or ad hoc reports will contain the latest information. Other non-recurring information requests, such as Freedom of Information Act requests, can also be satisfied using up-to-date CERCLIS data, with little or no need for additional data collection.

In FY90, the agency will report environmental results achieved by Superfund. The data elements required for this reporting will be derived from the Superfund Environmental Indicators Project that has been ongoing for the past year. It is unclear at this time how these data will be collected and reported. Additional guidance on this initiative will be sent to the regions.

HQ is requiring that regions place additional information into CERCLIS on RA projects. This information will be used to develop and justify the RA budget and provide for characterization of RA projects and their associated costs. **Regions will not receive funds for an RA in their Advice of Allowance unless the RA remedy type is in CERCLIS. Regions will not receive credit for a PRP RA start unless the remedy type is in CERCLIS.**

HQ is also initiating several strategies for enhancing CERCLIS data quality. The data quality problems which are the focus of the strategies include reconciling historical data in CERCLIS, addressing problems with management reports that use inconsistent select logic and improving operating year data in non-resource related areas.

EXHIBIT ES-3

RA PRIORITIZATION CRITERIA

PRIORITY 1	Immediate or imminent threat to human health as determined by ATSDR or other.
PRIORITY 2	Actual exposure or exposure occurring within the short term* which results in: • risk to human health greater than risk-based site remediation goals; or • risk to human health greater than a hazard index of 1; or • contamination which exceeds health-based ARARs. An ATSDR determination than an actual public health threat exists. Actual or short term threat to endangered species.
PRIORITY 3	An ATSDR determination that a probable health threat exists. Existence of an actual or short term* threat to sensitive environments.
PRIORITY 4	Potential for exceeding any ARAR in the long term. Potential for exceeding risk-based site remediation goals in the long term. ATSDR determination that a potential public health problem exists.
PRIORITY 5	Potential threat to endangered species. Potential threat to sensitive environments.

* Short term means the amount of time not exceeding twice the time of the planned remedial action.

SCAP/CERCLIS RELATIONSHIP

The SCAP represents the management process used to set performance targets, report significant accomplishments and allocate resources. CERCLIS is the information system used to develop the SCAP. (Exhibit ES-4 indicates the major Headquarters/regional SCAP/CERCLIS responsibilities.)

Only data as recorded in CERCLIS will be recognized by Headquarters for SCAP tracking, planning and evaluation purposes. This includes information used for budget formulation, the workload model, setting of annual and quarterly targets and other national information needs. **No monies will be issued to the regions through the Advice of Allowance process unless the appropriate obligation and**

commitment data are reflected in CERCLIS. No FTE are given to projects that are incorrectly coded and scheduled in CERCLIS.

EXHIBIT ES-4

SCAP/CERCLIS RESPONSIBILITIES

REGIONAL RESPONSIBILITIES	HEADQUARTERS RESPONSIBILITIES
Plan and schedule all pre-remedial, remedial and removal events and enforcement activities	Determine the Advice of Allowance (AOA) based on region's input of SCAP planned activities and assure that regional budgets are balanced
Update CERCLIS on a regular basis (within 5 days) to report accomplishments, changes in planning data or adjustments in approved plans	Respond to regional requests for changes through the change request and amendment process
Reconcile CERCLIS financial data with data automatically transferred from FMS	Enter negotiated targets and measures and site back-up in CERHELP
CERCLIS data maintenance and integrity	Update CERHELP to reflect approved target changes
Update CERHELP to reflect accomplishments and target site substitutions	Enter and maintain data on AOA through the CERHELP data base

REMEDIAL RESPONSE OUTYEAR PLANNING

When a site is proposed as a candidate for a RI/FS start regions must develop and record in CERCLIS a schedule for the core remedial activities and core enforcement activities. Where better data are not available, regions should use the standard timelines provided in the manual. **As better information on project schedules and RA costs becomes available, regions must update their SCAP data in CERCLIS.** Keeping the data current in CERCLIS is a continuous process that is particularly important for outyear budget planning, the workload model, regional evaluation, and SCAP/SPMS target setting.

THE BUDGET PROCESS

The budget planning process begins a year and a half prior to the start of the fiscal year. In February 1990, regions will begin planning for major remedial dollar expenditures, as well as expenditures for key enforcement actions in FY92. To project the FY92 budget, regions must review core activity schedules for projects expected to begin in FY92. Since Fund-financed RAs play such a major role in the Superfund budget, it is crucial that these projects are identified and reasonable cost estimates derived using the draft Feasibility Study (FS), the Record of Decision (ROD) or Cost Of Remedial Action (CORA) Model estimates.

FY90 RESPONSE BUDGET

The FY90 funding in the response program is essentially the same as FY89 in the pre-remedial, removal, RI/FS, and remedial support areas. Significant growth is projected for RA projects. However, a major portion of the FY90 RA budget will be needed to support projects which were phase funded or deferred in FY89. This in turn will limit the number of Fund-financed FY90 remedial actions which can be supported. A fundamental concern in FY90, as in previous years, is that construction begins at all sites in a timely manner. To meet this objective, the recommended approach is that regions issue special notice letters (where appropriate) and bring negotiations to a close within the moratorium time periods, issue unilateral Administrative Orders where appropriate, lodge enforceable Consent Decrees within a reasonable time period where settlement occurs, and use the authority of Section 106 (administrative or judicial) to bring about a PRP lead cleanup. If these methods fail, the Fund should be used. As in FY89, those sites which have completed negotiations, have not settled and are not deemed suitable for litigation will be funded for RD in FY90. This will ensure that PRPs are fully aware that Fund-financed actions will be initiated when negotiations fail. Those sites at the RA phase which are not candidates for a Section 106 action should be evaluated against the environmental prioritization criteria and placed in the funding queue.

FY90 represents the third year of the Fund-financed RI/FS full funding strategy. The strategy calls for full funding of all program lead RI/FS projects started prior to or during FY90 by the end of the year. Successful implementation of this strategy requires meeting the RI/FS cost reduction goals initiated in FY89. This requires that RI/FS costs be reduced to a national average of $750,000 per operable unit and $1,100,000 per site. This strategy does not include a small number of unusually large or complex sites which will continue to be funded on an annual basis.

Regional activities must fall within the final negotiated budget levels. **The regional Advice of Allowance will not be issued unless the approved planned obligations, commitments and actual obligations are within the annual budget.**

FY90 ENFORCEMENT BUDGET

Extramural funding in FY90 for enforcement activities is at approximately the same level as in FY90. There was some modest growth in FTEs. The net result is, however, shortfalls in both parts of the budget. This leads to constraints across the enforcement program. The budget does not support as many PRP removals, RI/FS starts, ongoing RI/FS, RD/RA negotiations and referrals, and cost recovery actions as is possible. Consequently, regional managers must consider the effects across the program when making a decision to focus on one part of the program as opposed to another. The rough order of priority should be on maintaining ongoing project oversight and compliance enforcement, maintaining ongoing litigation for response and cost recovery, referring statute of limitation (SOL) cost recovery cases and negotiating PRP RD/RA response.

The extramural budget constraint in FY90 limits regional funding to the fiscal year. That is, wherever possible, PRP oversight and ongoing case support should not be funded into FY91. Fully funding projects into FY91 severely limits resources for FY90 projects.

Regional extramural budgets must fall within their Advice of Allowance. The AOA will not be issued unless approved, planned obligations are within the budget ceiling.

ENFORCEMENT CASE BUDGET

The Case Budget refers to the extramural financial resources necessary to pay for Superfund enforcement support. A region's Case Budget Allocation contains its share of available extramural resources to support the enforcement SPMS/SCAP targeted activities and funding needs for non-targeted activities identified in CERCLIS. The budget for most of the activities is based on the activity pricing factors in Appendix G.

FY90 CONGRESSIONAL BUDGET REPORTING REQUIREMENTS

Congress is requiring that the Agency establish budget levels and track financial activities for the following eight response program areas:

- Pre-remedial;
- RI/FS;
- RD;
- RA;
- Removal actions;
- Response support;
- Remedial support; and
- Removal support.

If planned or actual obligations exceed any of the budget levels by $2 million ($10 million for RAs) or more, the Agency must notify Congress. CERCLIS will be used to manage the monitoring and after the fact reporting requirements. This requirement will not affect the region's ability to obligate funds, nor will it impact the flexible funding initiatives implemented in FY88.

SCAP FINANCIAL PLANNING AND THE REGIONAL ADVICE OF ALLOWANCE

The SCAP financial planning process is the mechanism which drives the quarterly AOA approved by the AA SWER and the Office of the Comptroller. The process for issuing the AOA begins four weeks prior to the start of each quarter when planned site and non-site specific obligation data are pulled from CERCLIS and reviewed by Headquarters. Two weeks prior to the end of the quarter HQ will put the approved AOA amount into CERHELP and send a copy to the AA SWER. Regions must put this amount into IFMS before the end of the quarter. The AA SWER and the Office of the Comptroller will review the amounts in IFMS and approve or disapprove the AOA at the beginning of the quarter.

The Office of the Comptroller will issue the following allowances to the regions in FY90:

- RA (site-specific);
- RD (non-site specific);
- RI/FS;
- Other Remedial;
- Removal; and
- Enforcement.

The other remedial allowance includes site specific and non-site specific program and project support activities and technical oversight of Potentially Responsible Party (PRP) RD and RA projects. Consistent with the flexible funding criteria developed in

FY88, regions have the flexibility to move funds among projects within the RD AOA, the other remedial AOA and RI/FS AOA. Based on regional priorities, regions can also move funds among projects covered by the RA AOA, between AOAs and between the enforcement and response programs. These shifts require a SCAP amendment, must be reflected in CERCLIS, and may require Congressional notification and/or approval. HQ will generally approve shifting funds between allowances for the following activities:

- Classic emergencies;
- PRP oversight;
- RA projects (consistent with the national prioritization); and
- Removals at NPL sites.

WORKLOAD MODELS

Regional full time equivalent (FTE) allocations are made through the Hazardous Spill and Site Response model and the Technical Enforcement model. Resources for the pre-remedial, remedial, and removal programs are contained in the Response model. Enforcement and Federal Facility resources are in the Technical Enforcement model.

The workload models are designed to reflect priorities and policies contained in both the budget request and the SCAP/SPMS planning process. For the most part, the workload models are a straightforward application of FTE pricing factors from the national budget to region-specific SCAP/SPMS targets and projections in CERCLIS. **No FTE are given to projects that are incorrectly coded and scheduled in CERCLIS.**

Regional FTE allocations occur in two stages. An initial allocation of 95% of the total regional response and enforcement FTEs is made in April based on the preliminary negotiated SCAP/SPMS targets and schedules. A final distribution is made in September and reflects the final negotiated SCAP. Unless major target changes occur in the final SCAP, each region receives, at a minimum, the FTE level developed in April.

FOCUS OF THE SCAP PROCESS THROUGH THE YEAR

Current fiscal year planning information must be updated regularly by the regions through CERCLIS. Routine changes in planning information, i.e., those that do not require a target or budget change, can be made by the region without HQ involvement. In recognition of this, HQ and the regions will conduct formal negotiations twice a year. During these formal negotiation time periods, current year issues and problems will be discussed, as well as schedules and budgets for future fiscal years. States should be consulted prior to negotiations to ensure an integrated and coordinated EPA and state effort. The focus of regional responsibilities during the formal SCAP update/negotiation periods is outlined in Exhibit ES-5.

Although RA funding will be based on the environmental prioritization criteria, these RAs will be carefully assessed at mid-year and throughout the third and fourth quarters to identify slippage in schedules. If it appears that planned RAs with approved funding will not be ready to start in FY90, adjustments may be made within and among regional RA budgets.

The fourth quarter SCAP update is the most important planning event of the year. This update will yield final SPMS targets and will set each region's annual budget for the upcoming year. In addition, commitments made during this update will be the basis of final regional FTE distribution.

EXHIBIT ES-5

SCAP PLANNING YEAR

SECOND QUARTER (JANUARY/FEBRUARY 1990)

- Revise FY90 annual budget ceilings to reflect first and second quarter performance and revised plans for the remainder of the year
- Update and negotiate planning information in CERCLIS for the third and fourth quarter FY90
- Review slippage in FY90 targets for development of action strategies
- Reassess the remedial action funding strategy
- Negotiate preliminary FY91 SCAP/SPMS targets and measures
- Negotiate preliminary annual regional budgets for FY91
- Determine preliminary FY91 FTE allocations based on the preliminary targets and measures
- Provide complete site schedules including planned RA obligations to allow HQ to project the outyear budget (FY92)
- Negotiate third and fourth quarter enforcement AOA

FOURTH QUARTER (JULY 1990)

- Finalize FTEs for FY91
- Establish final SCAP/SPMS commitments for FY91
- Establish FY91 annual regional budget

ACCOMPLISHMENT REPORTING

Data on accomplishments will be pulled from CERCLIS by Headquarters on the fifth working day of each month. Monthly data will be used in reports to the Assistant Administrator, Congress, the public, etc., on the progress of the Superfund program. This is also the information that will be used for calls to the Regional Administrators regarding progress on the key indicators tracked in the Assistant Administrator's pro-active memorandum. Formal accomplishment reporting for SPMS and SCAP purposes will be pulled on the fifth working day of each quarter. This information will be used to evaluate regional progress toward meeting SCAP and SPMS targets and submitted to the Office of Management Systems and Evaluation (OMSE) for reporting SPMS accomplishments.

The major regional responsibilities during the accomplishment reporting phase are shown below in Exhibit ES-6.

EXHIBIT ES-6

ACCOMPLISHMENT REPORTING PHASE REGIONAL RESPONSIBILITIES

- Reconcile financial data in CERCLIS with data transferred from FMS;
- Ensure accomplishment information in CERCLIS is current;
- Perform QA/QC procedures on SCAP and SPMS data in CERCLIS.

SCAP/SPMS AMENDMENTS AND ADJUSTMENTS

SCAP incorporates flexibility into the planning process through the adjustments and amendments mechanism which allows the regions to change their plans during the year. Amendments are changes to SCAP which meet the conditions shown in Exhibit ES-7.

EXHIBIT ES-7

AMENDMENT CONDITIONS

- Change a quarterly or annual SPMS or SCAP target;
- Increase the region's annual budget;
- Change an Advice of Allowance.

Adjustments are any other changes to SCAP during the fiscal year. Regions may adjust their SCAP plans without Headquarters approval. SCAP amendments must be approved by the appropriate OSWER Office Director. SPMS amendments are reviewed and concurred on by the relevant program office (OWPE or OERR), but must be approved by the AA SWER.

Regions are responsible for maintaining the sites in the CERHELP Targets and Accomplishments data file to reflect SCAP adjustments. Regions will be allowed to add or delete sites from this file, for the purpose of substituting sites. The overall targeted number of sites must remain constant throughout the year. However, the site-specific CERCLIS records should be updated when a SCAP or SPMS amendment is requested.

PROGRAM MANAGEMENT AND ASSESSMENT

The Superfund program management and assessment strategy has four components as shown in Exhibit ES-8.

EXHIBIT ES-8

SUPERFUND MANAGEMENT AND ASSESSMENT STRATEGY

- Performance evaluation with CERCLIS data;
- Superfund participation in the OSWER regional reviews;
- Special studies;* and
- Coordination of responses to official reports.**

* e.g., High priority studies tracked through the Office Director's High Priority Workplans that assist the National Program Manager in implementing the program and support the Federal Managers Financial Integrity Act (FMFIA) requirements.

** e.g., Reports from the General Accounting Office (GAO) and the Office of the Inspector General (OIG).

Together these components give program managers regular opportunities to recognize high performance, focus resources in regions that demonstrate success, and provide training and technical assistance to those regions that are experiencing difficulties.

Regional and HQ responsibilities for implementing and conducting the program evaluation strategy process are shown in Exhibit ES-9.

SIGNIFICANT CHANGES FY89 TO FY90

The following discussion summarizes the significant changes in the Superfund Program Management Manual and the SCAP planning process between FY89 and FY90.

The Superfund program goals and priorities associated with site cleanup remain unchanged. However, the performance expectations of each of the programs have been revised. In the FY90 Manual, the concepts of integrated (Fund and Enforcement) planning and the integrated Superfund priority setting matrix are elaborated upon (see Chapters I and V).

EXHIBIT ES-9

IMPLEMENTATION RESPONSIBILITIES

REGIONAL RESPONSIBILITIES

Meet quarterly SCAP and SPMS targets and solve performance problems when they arise.

Provide quarterly SCAP and SPMS data to HQ through CERCLIS.

Maintain CERCLIS data quality at high levels for Superfund program and project management.

Participate in OSWER On-Site reviews

Negotiate performance standards that provide individual accountability for quarterly targets.

Develop action strategy to recoup slipping targets.

HEADQUARTERS RESPONSIBILITIES

Provide guidance to the regions for preparing the quarterly review, the mid-year assessment, the year-end assessment, and the OSWER On-Site Review.

Identify priority issues and participate in OSWER On-Site reviews.

Implement and report on follow-up action items from the OSWER On-Site review and Superfund mid-year assessment.

Review monthly performance data reported by the regions and negotiate action strategies with regions for recouping slipping targets.

Continually assess program performance and analyze timeliness and quality of work.

Recommend resource re-allocation based on regional needs and performance.

Assure that all staff are informed of the results of performance reporting and OSWER reviews.

Identify and undertake high priority special studies.

Assure that special studies and external official reports are reflected in FMFIA documentation.

Resources for post-ROD activities (except RDs) are constrained. As a result, an environmental prioritization scheme is being developed to focus regional resources on priority sites (see Chapter I).

The SCAP/SPMS targets and measures, definitions and FY91 methodologies for target setting are revised. The SPMS targeting measures for both programs have been reduced. The SCAP targeting and reporting measures have increased (see Chapter IV and Appendixes A and D).

As part of the national information reporting needs, regions will begin reporting indicators of environmental progress in Superfund (see Chapter III).

New planning or information requirements for certain activities were incorporated into the SCAP process. These include planning for treatability studies, projecting mixed funding settlements, developing mega-site management plans, identifying ARCS contractors with associated work, developing enforcement site management plans, and recording additional information on RA projects and budgets in CERCLIS. To counter these additional requirements, the planning of project support activities and site classification have been revised and simplified (see Chapter V).

The removal Advice of Allowance process has been revised (see Chapter VI).

Regional contingency accounts for design projects and other (non-RA) activities will be allowed. These accounts can be used for short term budget balancing, to identify funds made available by PRP takeover, to "backstop" PRP negotiations and to cover potential changeover costs. Dollar amounts in these accounts will be limited and monitored by HQ. (see Chapter VI).

The Enforcement Case Budget system has been revised as a result of revisions to the Technical Enforcement workload model. Chapter VI and Appendix G discuss the new Case Budget planning requirements.

Congress is requiring the Agency to budget and report planned and actual obligations in eight response program areas (see Chapter VI).

The Advice of Allowance structure has changed (see Chapter VI).

The Agency begins full implementation of the Integrated Financial Management System (IFMS) in FY90. The effects of this system on SCAP financial planning and management and the Advice of Allowance are described in Chapter VI.

The FY90 Manual has been expanded to include a discussion of the Response and Enforcement workload models and an explanation on how resources are allocated in the two models (see Chapter VIII).

The SCAP/SPMS planning requirements of the Chemical Emergency Preparedness and Prevention Program have also been added to the Manual (see Chapter IV and Appendix F).

USES OF THE MANUAL

The FY90 Program Management Manual includes information and guidelines for regional staff on Superfund program goals and priorities, the development of planning data, the application of planning data to the workload model process, Superfund financial management (including the new Case Budget process), the tracking of accomplishments and the evaluation of regional progress toward meeting program goals. The FY90 SCAP planning and evaluation process is supported by the information contained in this manual. Users of the manual must also refer to the CERCLIS User Reference Notebook for specific guidance on SCAP data coding, entry, maintenance and generation of SCAP reports.

STRUCTURE OF THE MANUAL

The FY90 Program Management Manual consists of two volumes. The remainder of Volume I contains information on:

- Program priorities and goals;
- SCAP procedures;
- National information needs;
- SCAP targets and measures;
- Program planning requirements and procedures;
- Financial planning and management;
- Evaluations; and
- Workload models.

Volume II includes the following Appendices:

- Appendix A presents the methodologies used to derive the FY91 preliminary targets and measures;
- Appendix B discusses the applicability of the Freedom of Information Act (FOIA) to SCAP;
- Appendix C provides a crosswalk displaying the relationship between CERCLIS Enforcement activities, remedies and events and their corresponding codes;
- Appendix D is divided into two sections. Section 1 provides technical definitions for the SCAP/SPMS targets and measures and Section 2 provides definitions for other planning activities. A brief description of the planning processes associated with each definition is included;
- Appendix E is a compilation of select logic for SCAP reports;
- Appendix F contains the planning requirements and definitions for the Chemical Emergency Preparedness Program; and
- Appendix G is the CERCLIS coding instructions and activity pricing factors for Case Budget.

In summary, the FY90 Manual encompasses many new or revised program management policies, processes and procedures. In order to acquire a more in-depth understanding, the manual itself should be read.

CHAPTER I

PROGRAM GOALS AND EXPECTATIONS

CHAPTER I - PROGRAM GOALS AND EXPECTATIONS

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **Evaluate RA projects ready for funding in a given year against the RA environmental prioritization criteria, and submit documentation by June 23, 1989 for RAs in FY90.**
- **Only RA projects with documentation will be considered for funding.**
- **The RA funding decisions will be reevaluated at mid-year and throughout the third and fourth quarter, therefore keep RDs on schedule.**

CHAPTER I - PROGRAM GOALS AND EXPECTATIONS

OVERVIEW

FY90 is a vital year for the Superfund program as the Environmental Protection Agency (EPA) enters the fourth year of the five year Superfund Amendments and Reauthorization Act (SARA) and looks toward reauthorization. Exhibits I-1 and I-2 outline major SARA goals. By October 16, 1989, EPA faces the statutory deadlines for starting 175 Remedial Actions (RAs) and 275 Remedial Investigation/Feasibility Studies (RI/FS). In addition, the pipeline for meeting the subsequent 1991 deadline for starting another 200 RAs must be well underway. As funding grows tighter, regions need to increase their use of the wide range of settlement authorities provided by SARA to compel Potentially Responsible Party (PRP) response. Where this cannot be achieved, regions should issue unilateral orders to viable PRPs and/or refer Section 106/107 cases. Cost recovery actions should be initiated to address the backlog of cost recovery sites. Removals will need to be undertaken for "classic emergencies" first and then for time critical removals at National Priorities List (NPL) sites where the removal will lead to deletion. The goals for the pre-remedial program found in SARA require that all sites in the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) as of October 16, 1986 be evaluated for inclusion on the NPL by October 1990.

Effective pursuit of SARA's statutory goals, as well as achieving the goal of cleaning up sites, requires constant attention to the proper balance among enforcement and Fund-financed options.

EXHIBIT I-1

SCHEDULE FOR ACHIEVEMENT OF SARA GOALS

SECTION	GOAL	DATE
SARA 116 (a)(1)	To the maximum extent practicable, (MEP) EPA shall have conducted Preliminary Assessments at all sites on CERCLIS at the time of enactment of SARA.	1/1/88
SARA 116 (a)(2)	To the MEP, EPA shall have performed Site Investigations where PAs have shown they were warranted.	1/1/89
SARA 116 (b)	All sites on CERCLIS at the time of enactment of SARA will be evaluated for inclusion on the NPL.	10/90
SARA 116 (d)(1)	EPA will commence at least 275 Remedial Investigations/ Feasibility Studies. OR EPA will commence 450 RI/FS and an additional 200 RI/FS.	10/89 10/90 10/91
SARA 116 (e)(1)	EPA will commence 175 Remedial Actions.	10/89
SARA 116 (e)(2)	EPA will commence 200 additional Remedial Actions.	10/91

EXHIBIT I-2

QUALITATIVE LEGISLATIVE AND REGULATORY GOALS

SECTION	GOAL
SARA 121(a)	To the extent practicable, Remedial Actions shall be in accordance with the NCP and shall be cost effective remedies.
SARA 121 (b)	A preference shall be given to remedies that include, as their principal element, treatment that permanently and significantly reduces the volume, toxicity, or mobility of hazardous substances, pollutants, and contaminants. RAs should be protective of human health and environment, cost effective, and utilize permanent solutions and alternative treatment technologies or resource recovery technologies to the maximum extent practicable.
SARA 121 (d)	Applicable or relevant and appropriate Federal standards and more stringent State standards must be attained in CERCLA cleanups.
SARA 118	High priority for remedial action shall be given to sites at which the drinking water supply has been contaminated.
CERCLA 104 (a)	Primary attention in response actions should be given to public health threats.
NCP 300.61 (c)	In determining the need for and in planning or undertaking Fund financed action, the lead agency shall engage in prompt response, encourage state participation in response actions, conserve Fund monies by encouraging private party cleanups, be sensitive to local community concerns, rely on established technology, but also consider alternative...technology, involve the RRT...at appropriate stages, encourage involvement...by industry and other experts, and encourage involvement of organizations to coordinate responsible party actions, foster site cleanup, and provide technical advice to the public.

INTEGRATED PROGRAM PRIORITIES

In FY89, the Office of Waste Programs Enforcement (OWPE) and the Office of Emergency and Remedial Response (OERR) worked with the regions to develop a matrix designed to identify and place in rough priority order the Superfund program's goals for FY90 and the activities which support achievement of those objectives.

The matrix is designed to provide the following:

- Identification of the most significant categories of program priorities, arranged in order of importance where possible;
- Listing of all the program activities that receive resources, grouped according to their contribution to a program priority; and
- Estimation of the funding level needed to support that activity.

The matrix provides a framework for establishing, testing and adjusting resource levels. This matrix will be used by HQ and the regions in making trade off decisions during:

- Budget formulation;
- Operating plan development and initial target setting and negotiation; and
- Mid-year adjustment.

The overall organization of the matrix is governed by the following concepts:

- After dealing with any emergency situations that may arise, the highest priority for the Superfund program is to maintain ongoing projects. The next highest priority is to move sites quickly into construction while insuring that PRPs are always the first option for financing cleanup actions;
- All of the activities listed in the matrix contribute in a significant manner to Superfund program success. Therefore, priority setting must be couched in terms of maintenance of an essential minimum baseline of activity across the board; and
- A baseline of supporting activities must be maintained to ensure that a constant flow of projects is maintained across the remedial and removal pipelines, and that the entire program maintains its operating integrity.

Use of the matrix is constrained by the following assumptions:

- Although baseline levels may be adjusted, there is a minimum level of activity that will be supported, even if all of the high priority activities that fall under funding level "A" are not funded. The basic decision on the baseline is the responsibility of the national program managers;
- Proposed shifts in funding between activities during the course of an operating budget year will be carefully scrutinized to assure their possibility of implementation;
- The ordering of the matrix may change from year to year in response to Congressional or Agency initiatives; and
- Shortfalls in priority activities that may lead to a requested reprogramming are evaluated at a national level.

Exhibit I-3, on the following page, is the integrated priority setting matrix.

EXHIBIT I-3

Priority Setting Matrix

PROGRAM PRIORITY	ACTIVITIES	FUNDING LEVEL*
I. Mitigate Immediate Threat	Classic Emergencies (Removal and Remedial, Fund and Enforcement)	A
	NPL Removals (Fund and Enforcement)	B
	AOs for NPL Removals	B
II. Move Sites to Cleanup		
A. Support Ongoing Work to Completion of Current Phase (Operable Unit)	Support Ongoing RD Ongoing RA (Fund and PRP) Ongoing RD/RA Negotiations Ongoing RI/FS (Fund and PRP) Ongoing 107 (SOL) Litigation Ongoing 106 Litigation for Remedy Ongoing 104 Access Ongoing Compliance Enforcement	A A A** A A A A A
B. Take Enforcement Actions to Ensure a Strong Enforcement Presence and to maximize Likelihood of PRP Takeover	RD/RA Negotiations (New) PRP RD/RA Starts 106 Settlement Referrals 106 UAOs for RD/RA 107 SOL Referrals 106 Litigation for Remedy Mixed Funding RD and RA	A** A A A A*** A A
C. Fund RD and RA Starts Where Enforcement Action is not appropriate	RD Start (Fund) RA Start (Fund)	A B
D. Federal Facilities	Negotiate IAGs Oversee IAGs	A A

'A' = ALL and 'B' = BASELINE

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates that we continue to carry out a level of activities consistent with prior year activity. "A" means all those activities available to be done.

** Provided that timely special notice, special notice waiver or general notice with timelines has been issued and extensions have been requested/approved consistent with Agency policy.

*** Consistent with cost recovery strategy.

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

EXHIBIT I-3

Priority Setting Matrix (Cont.)

PROGRAM PRIORITY	ACTIVITIES	FUNDING LEVEL*
II. Move Sites to Cleanup (continued)		
E. Maximize Cost Recovery	Non-SOL RA Referrals	B
F. Initiate RI/FS and Other Activities to Keep Pipeline Balanced	PRP RI/FS	B
	Fund RI/FS	B
	Listing Sites	B
	State Enforcement RI/FS	B
G. Pre-Remedial, Removal, Enforcement and State Support Activities to Support Long Term Goals	Non-NPL Time Critical Removals	B
	AOs for Non-NPL Time Crit. Removal	B
	Pre-Remedial (PA/SI)	B
	107 Non-SOL Pre-RA Referrals	B***
	TAG Grants	B
	Federal Facilities Pre-Remedial	B
	Non-NPL PRP Search	B
	Core Program Cooperative Agreements	B
	107 Administrative Settlements	B
New Initiatives		
Essential Program Management Elements A. Critical Path Support Activities	PRP Searches CLP Removal Support Remedial Project Support Community Relations	Fund at Level to Support Program Integrity
B. Core Program Support	CERCLIS Database Management Contract Management Records Management including Administrative Records Program Management State Program Support	Fund at Level to Support Program Integrity

'A' = ALL and 'B' = BASELINE

* "A" and "B" are designed to indicate degree of importance, not an absolute rule with regard to funding. As used in this column "B" indicates that we continue to carry out a level of activities consistent with prior year activity. "A" means all those activities available to be done.

*** Consistent with cost recovery strategy

(Note: All activities identified in the matrix are to be funded at least at a minimum baseline level.)

REMEDIAL PROGRAM GOALS

The remedial program will continue the efforts begun in FY89 to improve and better integrate the response and enforcement management approach. The program priorities of moving sites toward cleanup result in the following remedial objectives:

- Issue special notice, where appropriate, at all sites where a Record of Decision (ROD) has been signed. Make early decisions as to whether a good faith offer has been made and terminate negotiations that do not appear to be leading to settlement. Use appropriate incentives for settlement (e.g., mixed funding). Also use the judicial and administrative authorities of Section 106 to bring about a settlement or compel a PRP response.

- Continue an active remedial action strategy -- the program should continue to work toward the mandates set forth in SARA by moving sites through the remedial pipeline in a timely and cost effective manner. The number of PRP-lead Remedial Designs (RD) and Remedial Actions (RA) must be maximized. For those sites where PRPs are not viable or available, the regions will use the environmental prioritization scheme (discussed later in this Chapter) to determine which projects to fund and which to place on temporary hold. The funding outlook for FY91 looks the same as FY89 and FY90 and hard decisions on fund balancing and the use of alternative technologies in order to control outyear construction costs will have to be made.

- Alternative technologies -- greater emphasis will be placed on the evaluation and selection of alternative technologies and the employment of the technologies on-site. Treatability studies will be an important part of the RI/FS ensuring that adequate data exist to effectively evaluate each technology prior to remedy selection.

- Make effective use of other agency expertise -- It is important that EPA make full use of construction management expertise available from the Corps of Engineers (COE) and the Bureau of Reclamation (BUREC), and that EPA staff avoid duplicative oversight of projects assigned to these agencies. Our goal for FY90 is to assign oversight responsibility to the COE or BUREC or 65% to 75% of RP, RD, and RA projects started on FY90. In addition, a significant portion of Federal Lead, Fund financed RD and RA Projects should be assigned to the COE or BUREC.

- Implementation of a well managed program -- FY90 represents the third year of a strategy calling for full funding of all RI/FS projects started prior to or during FY90. Successful implementation of this strategy requires that regions meet the RI/FS cost reduction goals initiated in FY89. This requires that RI/FS costs be reduced to a national average of $750,000 per operable unit (OU) and $1,100,000 per site exclusive of treatability studies. Both the operable unit and site goals are important. The operable unit goal primarily affects year-to-year funding limitations. The site goal is needed for long term cost management and to eliminate the incentive a region may have to break sites into operable units to increase its annual budget. A region's RI/FS budget is developed based on the full funding strategy. "Mega Sites" are excluded from the operable unit and site level cost reduction goals described above. However, regions will be required to develop a Mega-site Management Plan characterizing site problems and management options for mega sites. Mega-sites are defined as sites where RI/FS work at the **site** exceeds $3 million.

- Building public confidence -- In FY90, regions will begin reporting on environmental indicators of progress in the Superfund program. In addition, the use of the environmental prioritization approach will ensure that the Agency will be able to communicate to the public which RA projects will be initiated. (The environmental prioritization approach is discussed later in Chapter I.)

ENFORCEMENT PROGRAM GOALS

The goals of the Enforcement Program are to maximize efficient PRP responses, to maximize cost recovery to the Fund and to send a clear message to the PRP community that inaction is costly. To reach these goals, the following priorities have been identified for FY90.

- Aggressively seek settlement for PRP response -- in order to promote PRP participation in the response program, and to assure cost recovery, PRP searches should be comprehensive and completed early. General and special notice letters should be issued in a timely manner. Well planned negotiations need to be initiated and completed within the special notice moratorium or the schedules in a general notice letter. Regional Administrator or Assistant Administrator extensions should be used only where settlement appears likely. Regions are encouraged to develop enforcement site management plans to lay out their strategy for a site. Use of the enforcement site management plan or negotiation strategy develops positions to ensure that roles/responsibilities of Department of Justice (DOJ), Regional Counsel, Office of Enforcement Compliance Monitoring (OECM), and the regional and HQ program staff are outlined at the start of negotiations. The settlements incentives/disincentives concepts are to be applied at multipary sites. Effective use of the settlement authorities under SARA (e.g., mixed funding and de minimis) should be applied where appropriate.

- Negotiate and execute Section 120 Interagency Agreements at Federal Facilities - regions should issue notice letters and conduct 90-day negotiations to execute 3-party Interagency Agreement (IAG) at Federal Facilities on or proposed for the NPL for RI/FS through RD/RA. Regions should coordinate negotiations and enforcement strategies among Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), RCRA and Office of Regional Council (ORC) offices as well as with headquarters. The overall priorities for Federal Facilities are to (1) oversee work at Federal Facilities pursuant to a Section 120 IAG; (2) complete negotiations at any facilities that may have slipped from FY89 to FY90; and (3) negotiate IAGs at the remaining proposed and final NPL facilities.

- Effective PRP oversight -- having achieved settlement, regions should diligently monitor PRP compliance and take actions to enforce settlements. Regions should use stipulated penalties and dispute resolution to enforce compliance, especially where schedules are not met or work products are of poor quality. Compliance status must be maintained in CERCLIS.

- Cost recovery -- Cost recovery actions should maximize returns to the Fund. Statute of limitations sites should be addressed first. Demand letters should be issued prior to cost recovery actions.

- Pursuit of non-settlers -- Section 106 actions or cost recovery should be sought against viable non-settlers where there are partial settlements for less than complete relief. Actions should be filed in a timely manner so as to discourage recalcitrants and encourage settlement.

- Increase the use of Section 106 orders and litigation -- regions should consider issuing unilateral administrative orders (UAO) for remedial and removal actions to compel a PRP to initiate response actions and/or encourage settlements and refer Section 106 actions without settlement for RD/RAs, especially where RA funds are not available and there are viable PRPs.

- Support state participation in the enforcement program -- states are playing an increased role in the Superfund Enforcement process and regions should encourage state participation by entering into Superfund Memoranda of Agreement (SMOA) or Cooperative Agreements.

ENVIRONMENTAL PRIORITIZATION INITIATIVE

In FY90, resources for enforcement activities and fund-financed RAs are constrained. These resource problems have lead to the development of a RA prioritization approach which ensures that the highest environmental priority sites are addressed. The prioritization approach is not absolute. Other environmental, programmatic and other implementation factors could cause a site to be elevated in priority. It is important to realize that all NPL sites which require further action after the RI/FS are, by definition, priority sites. The issue is their relative priority.

Criteria For RA Environmental Prioritization

Prioritization begins with the ROD. A set of environmental criteria have been developed and each region determines which criteria are applicable to a particular ROD. The RODs are then grouped according to their relative environmental priority. There are a subset of sites and projects that will not be evaluated under the environmental prioritization criteria. These are:

- Small dollar RA projects which will lead to deletion upon completion;

- Phased construction projects or actions that have been incrementally funded;

- Mixed funding (preauthorization) response actions; and

- Long term response activities.

The prioritization criteria, which are contained in Exhibit I-4, were based on the following principles:

- Protection of human health is the highest priority;
- Actual threats to sensitive ecosystems and endangered species also are high priority;
- Priority is increased as the risk becomes nearer in time;
- Most priority levels have several factors, and a ROD receives higher priority if more than one factor is met; and
- Only results from a full Health Assessment may be used in ranking priority. ATSDR may do a preliminary health assessment based on PA/SI data, but this should not be used to determine the priority for post-ROD activities.

A variety of other environmental criteria can also influence which projects will be funded. These include:

- The degree to which actual exposure exceeds health based levels;
- The stability of the site; and
- Sites which may be considered of a relatively lower environmental priority as a result of a potential, not actual, threat where a variety of factors suggest that if the region did not accurately project the likelihood of near-term risk, public health, environmental and dollar costs could escalate considerably.

Application Of Prioritization To Fund Financed Remedial Actions

Environmental prioritization is the primary consideration in determining what sites are funded for fund-financed construction. However, it is also desirable to maintain a balance of both RA starts and completions. Therefore a moderate level of RAs which will lead to completions will be funded regardless of the relative environmental priority of the operable unit. Protocols for managing the queue will be established before the beginning of the fiscal year.

A variety of other programmatic factors can also influence which projects will be funded. These include:

- Escalating costs -- remedy is certain and delays in funding will cause a sharp rise in remedy costs due to need for redesign under changing site conditions;
- Advancing technology -- this factor may cause a region to delay funding an RA project while testing a more cost-effective remedy or quickly funding site work could enable the technology to be used more cost-effectively at other sites;
- Contracting obligations -- Agency has contracted for RA and the effect of delayed funding would be to break federal obligation under the terms of the contract;

EXHIBIT I-4

RA PRIORITIZATION CRITERIA

PRIORITY 1	Immediate or imminent threat to human health as determined by ATSDR or other.
PRIORITY 2	Actual exposure or exposure occurring within the short term* which results in: • risk to human health greater than risk-based site remediation goals; or • risk to human health greater than a hazard index of 1; or • contamination which exceeds health-based ARARs. An ATSDR determination than an actual public health threat exists. Actual or short term threat to endangered species.
PRIORITY 3	An ATSDR determination that a probable health threat exists. Existence of an actual or short term* threat to sensitive environments.
PRIORITY 4	Potential for exceeding any ARAR in the long term. Potential for exceeding risk-based site remediation goals in the long term. ATSDR determination that a potential public health problem exists.
PRIORITY 5	Potential threat to endangered species. Potential threat to sensitive environments.

* Short term means the amount of time not exceeding twice the time of the planned remedial action.

- Enforcement considerations -- priority funding is not available in support of a priority enforcement action;

- Priority RA action is linked to another site -- for example, an incinerator brought on to a priority site is planned to be used for another site; and

- Schedule -- if the schedule for a priority site slips beyond FY90, a site of relatively lower environmental priority which is ready to proceed in FY90 may be moved up in the queue. For this reason, regions should ensure that RD projects continue to meet their completion schedules.

In order for sites to be placed in the funding queue, the following activities must be conducted by the region:

- A thorough responsible party search has been completed, after which general notice with negotiating deadlines and/or special notice, if appropriate, and reasonable opportunity for willing PRP negotiations has been afforded.
- Large scale projects have been evaluated to determine whether aspects of the project can be "phase-funded" consistent with a well engineered approach to the site without increasing cost or risk to health or the environment.
- Remedial design must be 95% complete.
- State match must be available through a signed Superfund State Contract for Federal-lead sites.
- Site access for RA has been secured.

Documentation

The initial prioritization is performed by the regions. All sites within a region that will be ready for funding in a given year are examined. Once the region has evaluated their RA projects against the prioritization criteria, the documentation and resulting priority category within which that site is located should be sent to HQ. For RAs scheduled to begin in FY90, documentation must be submitted to HQ by June 23, 1989. Only projects where documentation has been submitted will be considered for funding.

The Decision Making Process

Decisions on funding will be made by a panel composed of HQ and regional senior management. In general, the following rules will apply:

- Only when sites are of comparable risk, will funding for a large site be postponed in favor of funding for a number of smaller sites;
- Projects in the first three priority categories will never sit for more than one year awaiting funding or litigation;
- Projects of lessor environmental priority may be queued for several years if there are sufficient projects of higher or equal priority except when recalcitrant PRPs are present. In such cases, the site will not sit for more than a specified period of time before funding or litigation proceeds. Substantial flexibility will be allowed when a region needs to make a point with a recalcitrant PRP even if a project is not scheduled for funding; and
- Each region will receive some level of RA funding based on the number of sites scheduled to begin during the FY.
- The funding decisions will be re-evaluated at mid-year and throughout the third and fourth quarters and adjustments may be made at these points, both within and among regional RA budgets. As the end of the fiscal year approaches, the more likely a lower priority project that is "ready to go" will

be funded. As the result of RP takeovers and project slippages, these lower priority projects could become a reality. It is important, therefore, to complete RD projects on schedule, and have projects ready to go, regardless of where the project fits in the environmental priority scheme.

CERCLIS Implementation

FY89 RA projects that will not be started because of funding constraints should be shown by placing a 'Q' (queued) in the Strategic Planning and Management System/Superfund Comprehensive Accomplishments Plan (SPMS/SCAP) Target Status (C2110). The planned start date should be changed to FY90. This information should be in CERCLIS by the July 10, 1989 pull data for final FY90 negotiations.

By September 8, 1989, regions should identify which of their FY90 RA projects will be funded and which will be queued. Projects that will be funded should be identified by placing a 'P' (primary) in the SPMS/SCAP Target Status field (C2110) and 'APR' (approved) in the Funding Priority Status (3225). Projects that have gone through the RA prioritization decision making process and were not funded should be identified by placing a 'Q' in the SPMS/SCAP Target Status (C3225). Other RAs that may be ready to begin in FY90 should be coded as 'Alternate' in both the SPMS/SCAP Target Status and Funding Priority Status Fields. The SPMS/SCAP Target Status and the Funding Priority Status must be maintained throughout the FY. If queued projects are funded the 'Q' should be replaced with a 'P' and the 'ALT' with 'APR.'

During the fiscal year (FY), regions should also maintain the planned start and completion dates for all RA projects. If a project that has been queued is ready to proceed and the planned start date has passed without funds, the planned start date should be moved to the next quarter.

Queued RA projects which experience schedule slippages which cause them to be moved out of the current FY will have to be reevaluated for funding. Prior to the preliminary negotiation of future year targets the 'Q' in the SPMS/SCAP target should be changed to a 'P' or an 'A' (Alternate).

PRE-REMEDIAL PROGRAM GOALS

The FY89 Site Inspection (SI) completion goals imposed by SARA were met in only two regions. However, the program must continue to make steady progress toward eliminating the SI backlog prior to reauthorization. Resources will be placed wherever SIs are needed to carry the program forward.

The last SARA pre-remedial goal requires all sites in CERCLIS as of the date of enactment to be evaluated for inclusion on the NPL by October 1990. The transition to the new Hazard Ranking System (HRS) will be completed during FY90 and the program must concentrate now on using the new HRS to score sites. It is doubtful that the SARA goal can be met, but as regions work toward eliminating the SI backlog, they should also evaluate the NPL potential of those sites.

The regional objectives of the pre-remedial program are as follows:

- Continue EPA's policy of conducting preliminary assessments (PAs) within one year of CERCLIS listing in order to prevent the build-up of a PA backlog;

- Maintain site inspection (SI) momentum during the transition to the revised HRS, stressing commitment to completing pre-SARA sites within the context of "worst sites first";

- Review all completed SIs to determine which sites require listing site inspections (LSIs) or the development of HRS listing packages, i.e., "SI reassessment".

- Implement the Environmental Priorities Initiatives (EPI).

- Enter all pre-remedial decisions/priority recommendations at each step of the evaluation process and all appropriate identifiers (RCRA, Federal Facilities, Indian lands, etc.) into CERCLIS as rapidly as possible to facilitate overall program planning and to expedite response to Congressional and public inquiries;

- Gradually phase in use of the revised HRS in all parts of the pre-remedial process as data collection requirements become more clearly defined;

- Assist Headquarters to finalize some 400 currently proposed NPL sites by providing input to EPA's response-to-comment activity; and

- As stated in both the FY88 and FY89 Pre-remedial guidance, state, Field Investigation Team (FIT) and EPA staff conducting PAs, PA site reconnaissances and SIs should consider the need for removal activities at all sites evaluated. Removal personnel must be notified in all instances where evidence of potential fire, explosion or direct exposure hazards exist or where removal activities may substantially improve a hazardous situation.

REMOVAL PROGRAM GOALS

In FY90, as in the past, the key goal of the removal program is to ensure that resources are available for time critical removals and not diverted to less critical removal actions. Regions should prioritize time critical removals in the following order:

- Classic emergencies;
- Removals at NPL sites; and
- Time critical removals at non-NPL sites posing major environmental and public health threats that can not be addressed by other authorities.

Non-time critical removals should be undertaken only as resources allow. Non-time critical removals at NPL sites should be planned and budgeted site-specifically. For all non-time critical removals, regions should involve states and responsible parties to the maximum extent practicable. In classic emergencies, PRPs should be notified orally and given up to 24 hours to respond, depending on the situation. Oral notification should be followed up in writing. For time critical removals, enforcement activities (PRP searches, negotiations and issuance of an order) should be initiated as soon as the site is identified and scheduled for completion based on the timing of the removal start.

Regions should give more attention to conducting removal investigations at NPL sites. Many of these sites have never been looked at by removal personnel and may be a substantially improved by removal activity. To the extent resources allow, regions should conduct removal investigations at all NPL sites that have never received such a review.

FEDERAL FACILITIES PROGRAM GOALS

The primary focus of the program is on Federal Facilities currently on or proposed to the NPL and entering into Section 120 Federal Facility Agreements/Interagency Agreements (FFA/IAG) with these facilities. The first priority for FY90 is to continue to oversee work at facilities with §120 FFA/IAGs signed in FY89. The second priority is to complete §120 FFA/IAG negotiations at facilities which were targeted in FY89 but slipped to FY90 and the third priority is to enter into §120 FFA/IAGs at all facilities that were not targeted for §120 FFA/IAGs in FY89. All proposed and final Federal Facilities, including Update 9 sites, should have signed §120 FFA/IAGs by the end of FY90, except for several Federal Facilities which will be targeted in FY91.

Many of the Federal Facilities will have significant RCRA/CERCLA integration issues. Regions, in conjunction with states, need to address these issues relative to the scope of the FFA/IAG early in the negotiations process. Both RCRA and CERCLA program staff, as well as the Office of Regional Counsel, need to be involved in these discussions.

CHEMICAL EMERGENCY PREPAREDNESS AND PREVENTION PROGRAM

The main goal of the Chemical Emergency Preparedness and Prevention Program (CEPP) is to prevent and prepare for chemical accidents. The program's authorities are CERCLA and the Emergency Planning and Community Right-to-Know Act of 1986, also know as Title III of SARA. CEPP's FY90 SPMS measures focus on key activities to meet the above goal, specifically State status reports, technical assistance activities, EPA assistance with emergency simulations, chemical safety audits, and the Accidental Release Information Program measure aimed at gathering and analyzing information on accidental releases and prevention methods. Enforcement measures have been added. The SCAP measures for CEPP complement and supplement the SPMS measures and include outreach activities and training to Federal, state, and local governments and industry officials. Because the deadline for completion of initial Local Emergency Planning Committee emergency response plans occurred in FY89, review, exercise, revision, and improvement of plans will be emphasized in FY90. Plans must be reviewed, revised, and updated at least annually. Regional Response Teams (RRTs) may also review plans.

Reporting by regions of SPMS information in the CEPP program does not need to be entered into CERCLIS. The reporting mechanism is outside the CERCLIS system.

Earthquake and National Security Emergency Preparedness Programs

The plan for Federal response to a catastrophic earthquake was mandated by the Earthquake Hazards Reduction Act. The plan, which is being developed by 25 Federal departments and agencies and is coordinated by the Federal Emergency Management Agency (FEMA), is an effort to improve Federal, state, and local preparedness and response to a catastrophic earthquake. EPA's responsibility in plan development is to act as the primary agency for Emergency Support Function (ESF) #10 -- "Hazardous Materials", and as a support agency to other ESFs. Each EPA region which has a high-risk, high population area for a catastrophic earthquake within its boundaries must develop a risk-area specific, hazardous materials annex to the multi-agency regional response plan which operationally identifies how the agency and its support agencies would respond to multiple hazardous material incidents, including radiological incidents, during a catastrophic earthquake. In regions containing more than one catastrophic risk area, risk-area specific sub-plans are necessitated.

The purpose of the National Security Emergency Preparedness Program is to ensure the performance of essential functions of the agency in the event of a national security emergency. EPA's responsibilities are outlined in Executive Order 12656 and related directives. Each region is required to establish and maintain a designated team of personnel for such events; participate in EPA, FEMA or other agency sponsored planning sessions, workshops, training and exercises; and assist in preparing program support materials.

CHAPTER II

SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES

CHAPTER II - SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **Most of the Superfund Budget is based on the SCAP.**
- **HQ will not recognize an SPMS/SCAP accomplishment unless it is recorded in CERCLIS by the specified pull date.**
- **The preliminary and final distribution of resources for the upcoming fiscal year is based on planning information in SCAP as of the beginning of April and the beginning of August, respectively.**
- **No FTE are given to projects incorrectly coded and scheduled in CERCLIS.**
- **The preliminary and final SPMS/SCAP targets are established in March and August, respectively.**
- **Response and enforcement funding needs identifying in January form the basis for the annual regional budgets.**
- **RA cost estimates for outyear budget should be derived using the draft FS, the ROD or Cost of Remedial Action (CORA) model.**
- **Final 'approved' funding requests must be within the annual regional budget proposed by HQ.**
- **On the fifth working day of February and July, HQ pulls SCAP data from CERCLIS for negotiations.**
- **On the fifth working day of each month, HQ pulls planning and accomplishment data from CERCLIS to support a variety of official reporting requirements.**
- **SCAP/SPMS amendments require HQ concurrence and approval.**
- **Changes to SPMS should not be made simply because a target cannot be met.**
- **Final SPMS amendments should be submitted from the Regional Administrator to the AA SWER by April 15.**

CHAPTER II - SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES (Cont'd)

ONE MINUTE PROGRAM MANAGER RULES

- **Amendment requests will not be approved unless they are in CERCLIS.**
- **Planning and accomplishment data should be updated at least monthly.**
- **Regions will not receive credit for an accomplishment unless the appropriate site name is reflected in the CERHELP Targets and Accomplishments file.**

CHAPTER II - SUPERFUND COMPREHENSIVE ACCOMPLISHMENTS PLAN PROCEDURES

INTRODUCTION

The Superfund Comprehensive Accomplishments Plan (SCAP) process is used by the Superfund program to plan, budget, track, and evaluate progress toward Superfund site cleanup. The SCAP planning process is a dynamic, ongoing effort that has a significant impact on Superfund resource allocation and program evaluation. Planned obligations and Strategic Planning and Management System (SPMS) targets and measures are generated through SCAP and influence the Superfund budget and evaluation process. SCAP planning is a day-to-day responsibility of the regions. A semi-annual process has been established through which HQ and regions formally negotiate plans for the future. CERCLIS serves as the conduit for the SCAP process. CERCLIS provides both HQ and regions with direct access to the same data. Reports can be produced allowing for daily, interactive updates of planning and site cleanup progress information.

BACKGROUND

The SCAP process is crucial to Superfund program planning, tracking, and evaluation. As the Superfund program's central planning mechanism, it is interrelated with all Agency and Superfund program specific planning and management systems, such as the Agency Operating Guidance, the Superfund budget, SPMS, and the Superfund workload models. The Agency Operating Guidance defines Superfund goals for the upcoming year. SCAP targets/measures are designed to reflect the Agency Operating Guidance. In some cases, new SCAP categories are developed, or the projections for SCAP activities are adjusted to match the Agency's goals.

Most of the Superfund program's budget is based on the SCAP. The budget is developed 18 months prior to the fiscal year being planned. For example, the SCAP existing in the third quarter of FY90 will be used to formulate the FY92 budget. The site schedules reflected in the SCAP serve as the foundation for determining outyear budget priorities, such as the dollar levels to be requested in the budget and the total level of full-time equivalents (FTEs) to be made available for distribution through the workload model. Because dollars for Fund-financed RAs and RDs dominate Superfund's budget, it is critical that the SCAP identify RD and RA candidates and projected funding needs. RA cost estimates should be derived using the draft Feasibility Study (FS), the Record of Decision (ROD) or Cost of Remedial Action (CORA) Model estimates.

The Superfund budget provides the basis for the Agency Operating Plan. The Operating Plan, which is finalized prior to the fiscal year, establishes the funds available to the regions for performing Superfund work.

SPMS is used by EPA to set and monitor the environmental objectives identified in the Agency's Operating Guidance for a fiscal year. National and regional SPMS goals for Superfund are established and tracked through SCAP. SPMS targets are a subset of those contained in SCAP. SPMS targets and measures are reported quarterly by HQ and the regions to the Office of Management Systems and Evaluation (OMSE). OMSE tracks regional progress toward SPMS goals on a quarterly basis as part of the overall Agency performance evaluation process. HQ will not recognize a SPMS accomplishment unless it is recorded in CERCLIS.

The Superfund workload models distribute FTEs for each program and region. There are two Superfund program models, the Site and Spill Response model, which distributes resources for the pre-remedial, remedial and the removal programs, and the Technical Enforcement model which distributes enforcement and Federal Facility FTEs. SCAP plans form the basis for the workload models. The preliminary and final distributions of regional and program resources for the upcoming fiscal year are based on the planning information contained in SCAP in April and August, respectively.

SCAP/CERCLIS RELATIONSHIP

CERCLIS is the data base that is used by HQ and regional personnel for Superfund site, program and project management. CERCLIS contains the official inventory of Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) sites and supports current site planning and tracking functions. In CERCLIS, financial data are integrated with data from the pre-remedial, remedial, removal and enforcement programs. Pre-remedial, remedial and removal activities are called "events" in CERCLIS. Enforcement actions are called "activities". SCAP information is a subset of the site data collected through CERCLIS. Data entry responsibilities and report retrieval abilities are at the regional level so that regional managers and users play a central role in maintaining and using the data base. HQ relies on CERCLIS as the sole repository of information on plans and accomplishments.

CERCLIS consists of two data bases: a site-specific data base, CERCLIS, and a non-site specific data base, CERHELP. The site-specific data base contains site, operable unit (OU), event, enforcement activity, technical and financial information. Each week financial data from the agency-wide Integrated Financial Management System (IFMS) are transferred into CERCLIS. The data transferred include such information as commitments, decommitments, obligations, deobligations, outlays, credits, transaction date, obligating document number and funding vehicle.

CERHELP contains information such as SCAP/SPMS targets and accomplishments, Advice of Allowance (AOA), budget, and information on non-site specific activities. The CERHELP data base consists of the following separate files:

- The Targets and Accomplishments System is the data file used for setting and tracking SCAP/SPMS targets and measures. Preliminary and final regional SCAP/SPMS commitments are entered into the system by the HQ SCAP Coordinator. Target data are updated by the region to reflect SCAP adjustments and by HQ to reflect approved amendments. Regional reporting of non-site specific accomplishments is also performed through this system. Data from this system are used in all "official" SCAP Targets and Accomplishment Reports and are the baseline for regional evaluation.

- The Budget Control/Advice of Allowance file is used by HQ for SCAP budget development and control and for tracking and reporting the AOA process.

- Planning and tracking of non-site/incident activities and financial data are accomplished through the Non-Site/Incident Activity system. Regions are responsible for entering and maintaining SCAP non-site specific information.

Using CERHELP, regions will be able to track planning data and reconcile the site-specific planning in CERCLIS with the AOA and SCAP/SPMS targets. It serves as an important management tool for regions and HQ.

SCAP reports comprise over sixty percent of the total volume of reports generated by users in the CERCLIS system. In response to concerns voiced by users, the method for generating SCAP reports is being revised. By the start of FY90, Regions will be able to generate standard reports or customize the reports to select a specific data base, a specific region, a particular state, remedial project manager or EPA ID. Users will also be able to specify the fiscal year and quarter. Instructions and further information on the new SCAP report menu restructuring is found in Appendix E.

Additional information including regional responsibilities for CERCLIS and CERHELP can be found in the CERCLIS Users Reference Manual.

SCAP ROLES AND RESPONSIBILITIES

HQ responsibilities for maintaining the SCAP in CERCLIS include:

- Entering negotiated preliminary and final SCAP/SPMS targets and measures and site back-up in the CERHELP Targets and Accomplishments data file;
- Updating the numbers and site back-up in the Targets and Accomplishments data file to reflect approved amendments to the SCAP throughout the year;
- Entering preliminary and final budget data in the CERHELP Budget Control/Advice Of Allowance (BC/AOA) system;
- Determining the AOA based on SCAP planned activities in CERCLIS;
- Entering and maintaining AOA data in the CERHELP BC/AOA system; and
- Responding to regional requests for changes in plans through the amendment and change request process.

Regions have complete responsibility for maintaining CERCLIS and selected portions of the CERHELP data base. At a minimum this requires:

- For sites which are beginning the RI/FS in the current or next fiscal year, planning and scheduling all remedial events and enforcement activities through the NPL deletion process;
- Keeping SCAP planning data current. This includes updating site schedules established at the RI/FS stage and RA cost estimate when better planning data become available;
- Updating the site back-up in the Targets and Accomplishments data file to reflect adjustments to the SCAP throughout the year;
- Reporting accomplishments as they occur;
- Reconciling CERCLIS financial data with IFMS;

- Entering and maintaining quarterly planning and accomplishments reporting for non-site specific activities; and
- Preparing SCAP amendments and change requests.

The regional Information Management Coordinator (IMC) is a senior position which serves as regional lead for all Superfund program and systems management activities. The IMC serves as the liaison between the Waste Management Division and the Environmental Services and Management Divisions. The following lead responsibilities for regional program planning and management rest with the IMC:

- Coordinate SCAP/SPMS planning, development and reporting;
- Ensure regional accomplishments are accurately reflected in CERCLIS;
- Reconcile IFMS data transferred into CERCLIS;
- Provide liaison to HQ on SCAP/SPMS and program evaluation issues;
- Coordinate regional evaluations by HQ; and
- Ensure that the quality of CERCLIS data are such that accomplishments and planning data can be accurately retrieved from the system.

SCAP CHANGE CONTROL PROCEDURES

Stability in the SCAP through the year is essential to the success of SCAP planning and accomplishment reporting/evaluation procedures. As a result, the following procedures were implemented in FY89 to control changes to the SCAP:

- Changes (including additions or deletions) to the SCAP targets, measures, definitions, methodologies or processes must be presented by the Office Director for the program office proposing the change;
- All proposed changes must be sent to the regions and all other program offices for review and comment prior to implementation;
- The decision on whether to proceed with the proposed change must be documented in writing. If the proposed change will be implemented, an addendum to the Program Management Manual will be published.

OVERVIEW OF THE SCAP PROCESS

The SCAP process generates data that fulfill the following functions:

- Tracking of accomplishments against targets/measures;
- Updating planning (schedules and funds) for the current fiscal year;
- Developing planning data for the upcoming fiscal year; and
- Providing data for outyear budget planning purposes.

It is essential that SCAP data remain current and up-to-date and that accomplishments be reported as soon as they occur. Planning information should be reviewed on at least a weekly basis and information updated as necessary.

However, as noted earlier in this document, the SCAP formal negotiation cycle is a semi-annual process. The focus of the two formal negotiations is slightly different. Exhibit II-1 indicates the significant differences between the February and July negotiating sessions.

The fourth quarter SCAP planning cycle is important because of its direct impact on the upcoming fiscal year's budget. Regions are required to manage their funds and operate within the annual budget established during the fourth quarter update. Funds within the region's budget must be reprogrammed to meet unexpected contingencies.

During the second quarter negotiations, and throughout the third and fourth quarters, the RAs that are scheduled for funding based on the environmental prioritization criteria will be carefully assessed to identify schedule slippage. If it appears that planned RAs with approved funding will not be ready to proceed in FY90, adjustments may be made within and between regional RA budgets.

EXHIBIT II-1

SCAP PLANNING YEAR

SECOND QUARTER (JANUARY/FEBRUARY 1990)

- Revise FY90 annual budget ceilings to reflect first and second quarter performance and revised plans for the remainder of the year
- Update and negotiate planning information in CERCLIS for the third and fourth quarter FY90
- Review slippage in FY90 targets for development of action strategies
- Reassess the remedial action funding strategy
- Negotiate preliminary FY91 SCAP/SPMS targets and measures
- Negotiate preliminary annual regional budgets for FY91
- Determine preliminary FY91 FTE allocations based on the preliminary targets and measures
- Provide complete site schedules including planned RA obligations to allow HQ to project the outyear budget (FY92)
- Negotiate third and fourth quarter enforcement AOA

FOURTH QUARTER (JULY 1990)

- Finalize FTEs for FY91
- Establish final SCAP/SPMS commitments for FY91
- Establish FY91 annual regional budget

PROCEDURES FOR ANNUAL TARGET SETTING

The process for the development of a fiscal year's SCAP and SPMS targets/measures begins with the SCAP developed during the second quarter of the previous fiscal year. Preliminary targets/measures for the upcoming fiscal year are set by early March and used to derive the preliminary FTE allocations for the coming year. **No FTE are given to projects that are incorrectly coded and scheduled in CERCLIS**. All targets/measures are negotiated and numbers are established only after discussions between Office of Emergency and Remedial Response (OERR), Office of

Waste Programs Enforcement (OWPE), and the regions. Final SCAP and SPMS targets are set in the fourth quarter SCAP which is finalized in August. Final targets/measures also involve HQ/regional negotiations. The dates for pulling CERCLIS information that will be used for negotiations can be found in the Manager's Schedule of Significant Events found at the beginning of this Manual.

The procedures for target setting for the upcoming fiscal year are as follows:

- At the beginning of the second quarter HQ sends to the regions initial targets and planning estimates based on the SCAP Methodologies (SCAP Methodologies for FY91 are presented in Appendix A).

- Regions will respond to proposed SCAP targets/measures through CERCLIS and CERHELP within the timeframes established for the second quarter SCAP negotiations. To adequately plan for the year, a region must make decisions on the status of projects. States and Regional Counsel should be consulted prior to making these decisions. Remedial and enforcement projects should be identified as either "Primary" (P) or "Alternate" (A) in the SCAP/SPMS Target Status field (C2110 and C1725) in CERCLIS. Primary projects represent those that have the greatest likelihood of meeting the schedules in CERCLIS. Alternates represent sites that can be substituted for primary targets. The negotiated number of primary projects will be used to determine SCAP/SPMS preliminary commitments. A sufficient number of alternate projects should be maintained to replace primary projects which experience slippage or are deferred because of revised project priorities. A region should identify alternate projects to ensure that it can maintain a steady pipeline of remedial activity. At this time the schedules for queued RA projects should be reevaluated. Projects experiencing slippage which will lead to a planned start date in the upcoming fiscal year must be reclassified. The 'Q' (queued) in the SCAP/SPMS target status field must be changed to a 'P' or 'A.' The 'Q' should only be found on RA projects scheduled to begin in the current FY. (See Exhibit II-2 for an example of the use of primary or alternate target status field.)

- The regional response to non-site specific targets or planning estimates should be reported in the Targets and Accomplishments file in CERHELP. The regional target or planning estimate must be entered into CERHELP with the appropriate activity code and a "Proposed" (P) in the Version data field in CERHELP. Appendix D identifies the targets and measures which are planned on a site-specific vs. non-site specific basis.

- Regions must also identify FY91 remedial and enforcement funding needs in CERCLIS and CERHELP. States should be consulted to ensure that State-lead activities and State funding needs are accurately reflected in SCAP. At this time, the region only needs to provide the planned quarter of obligation, the budget source, amount, and contractor vehicle for Response funding needs. Appendix G contains the CERCLIS coding instructions for requesting Case Budget funds.

- HQ/regional negotiations occur during the second quarter (A separate negotiation schedule is sent to the regions). Action strategies developed for current year performance problems are a factor in the negotiation of targets and measures.

- Draft final targets/measures are set after completion of the negotiations in early March. These are used for the preliminary workload distribution.

- Based on the fourth quarter SCAP reflected in CERCLIS and CERHELP, a second round of negotiations is held to finalize the targets and planning estimates and the regional budget. At this time, only minor changes to targets and measures developed during the second quarter should occur. These negotiations are conducted in early August and final targets, measures and associated budgets are in place by early September.

- In preparation for the fourth quarter SCAP negotiations, final proposed regional budget ceilings for removal, remedial and enforcement programs will be sent to the regions. Those remedial events or enforcement activities which have the greatest likelihood of requiring funding during the fiscal year that are within the region's budget allocation should be identified by placing "Approved" (APR) in the Funding Priority Status field in CERCLIS and CERHELP. The total of all approved funding must not exceed the budget ceilings or HQ will not initiate negotiations. "Alternate" (ALT) projects are a pool of projects which are moving toward the point of obligation. As with primary and alternate SCAP/SPMS targets and measures, projects with alternate funds may be substituted for approved projects which experience slippage or are deferred due to changing priorities. Activities/projects identified as alternate will also form the basis for any requests for supplemental funding. For all events (RI/FS, RD, RA) scheduled to begin during the fiscal year, the "APR" funding status can only be placed on funds for sites which are coded as "P" SCAP/SPMS targets. For example, only RI/FS starts that are primary SCAP/SPMS targets will be used by HQ to establish the RI/FS budget. (See Exhibit II-2 for an example of the use of the funding priority status field.)

- The SCAP/SPMS Target Status should also be updated prior to fourth quarter negotiations.

- Any site scheduling or target changes that result from the negotiation of preliminary or final targets/measures must be entered into CERCLIS by the regions. At this point, regions should also reflect the RA prioritization funding decisions in CERCLIS.

- Written concurrence of negotiated targets and budget levels will be obtained at the close of negotiating sessions between HQ and each region.

- HQ will enter preliminary and final commitments including the site-specific back-up where appropriate into the Targets and Accomplishments file in the CERHELP non-site specific data base.

- Targets and measures, site back-up, and the regional budget are sent to the Assistant Administrator for approval in early September. They are then submitted to the Office of Management Systems and Evaluation as final SPMS targets and are used for final FTE distribution.

EXHIBIT II-2

PRIMARY VS. ALTERNATE SPMS STATUS AND "APPROVED" VS. "ALTERNATE" BUDGET PRIORITY

ORIGINAL PLAN

SCAP/SPMS Target	Activity Target	Site Name	State	Op Unit	Evt Type	Ld	Plan Start	Actual Start	Funding Status
(C2110)		(C104)	(C2)	(C1101)	(C2101)	(C2117)	(C2132)	(C2140)	(C3225)
	First RI/FS Starts Program								
P		X	IA	01	CO1	F	88/2		APR
P		Y	MO	01	CO1	F	88/4		APR
A		Z	KS	01	CO1	F	88/4		ALT
	TOTALS	2							

ALTERED PLAN

SCAP/SPMS Target	Activity Target	Site Name	State	Op Unit	Evt Type	Ld	Plan Start	Actual Start	Funding Status
(C2110)		(C104)	(C2)	(C1101)	(C2101)	(C2117)	(C2132)	(C2140)	(C3225)
	First RI/FS Starts Program								
A		X	IA	01	CO1	F	88/4		ALT
P		Y	MO	01	CO1	F	88/4		APR
P		Z	KS	01	CO1	F	88/2	2/09/88	APR
	TOTALS	2							

SCAP PLANNING

Regions are required to keep the SCAP data in CERCLIS and CERHELP up-to-date and accurate. Changes in planning information (schedules and funds) should be entered into CERCLIS or CERHELP within five days. If changes affect a SCAP or SPMS target or measure or the approved funding level for a site, the SCAP/SPMS Target Status and Funding Priority Status fields in CERCLIS must also be updated.

Semi-Annual Planning Process

As a final check to ensure that SCAP data are up-to-date, regions should generate SCAP and Audit reports periodically, especially those regions which have delegated responsibility for the database to RPMs and OSCs. At a minimum reports should be generated beginning on the first working day of January and June for internal review of the planning data in CERCLIS and CERHELP. These planning data should reflect any adjustments or approved amendments made to the annual plan. Regions should note that changes made in CERCLIS to site schedules and other planning data will not automatically result in changes to SCAP/SPMS targets. Although regions have the flexibility to alter plans, they are still accountable for meeting the targets negotiated at the beginning of the fiscal year. (See the section on SCAP/SPMS Adjustments and Amendments).

On the fifth working day of February and July, HQ pulls the proposed regional SCAP update which serves as the basis for HQ/regional mid-year and final negotiations. HQ will perform all negotiations based on the information in CERCLIS on these pull dates. To ensure consistency in the negotiation phase, the CERCLIS and CERHELP data bases are frozen prior to pulling the reports used for negotiations. As a result, all parties (HQ and the regions) will have identical data for use during the negotiation process.

CERCLIS data quality problems that affect the SCAP update shall be resolved prior to negotiations. These problems are to be resolved on a region-specific basis through telephone calls between HQ and the IMC or program manager.

CERCLIS Reports for SCAP Planning/Target Setting

Exhibit II-3 presents the CERCLIS reports used by HQ and the regions in the development and negotiation of regional targets/measures. Following is a discussion of these reports:

- The SCAP/SPMS Targets and Accomplishments Summary Report (SCAP-14) displays current year aggregate quarterly target totals and site back-up by SCAP activity.

- The Event/Activity Summary Report for NPL Sites (AUDIT-10) provides planned obligations, first and subsequent start and completion codes and budget source for events and activities at sites on the NPL. It is similar to the SCAP-2 except for the addition of these codes.

- The Non-NPL Site Summary Report (SCAP-1) displays major planned, ongoing and completed activities for sites which are not on the current NPL. Information on PRP searches, non-NPL removals, non-NPL removal Administrative Orders, etc. are found on this report. A site must have planned or ongoing work to show on this report.

- The NPL Site Summary Report (SCAP-2) contains major planned and actual data for remedial events and enforcement activities at sites which are on the NPL.

- The SCAP Financial Report - FY90 APPR (SCAP-4) and SCAP Financial Report - FY90 ALT (SCAP-5) aggregate dollars by program area and provide both site-specific backup from CERCLIS and non-site-specific backup from CERHELP. These reports should be used to compare the funding requests contained in CERCLIS and CERHELP against the regional budget. SCAP-4 and SCAP-5 are both new reports for FY90. They combine the Financial Summary Report (SCAP-15) with the Projects Report (SCAP-3).

- The Data Quality Check Reports (DQCK-1) are a series of edit reports the regions can use to check CERCLIS data quality. Any errors noted in these reports should be corrected in CERCLIS prior to the HQ deadline for pulling reports from CERCLIS. Enforcement also has a series of reports which can be used to identify enforcement data quality problems (ENFR 2-8).

- The Target/Negotiation Report (SCAP-16) is similar to the SCAP/SPMS Targets and Accomplishments Report and is used for target negotiations for the upcoming FY. The SCAP flags and other coding requirements needed to identify a given event/activity as a planned start or completion is included in the report. A similar report, Projected Planning Estimates and Projected Measures (SCAP-13) will be used for negotiation of SCAP measures and used for budget and FTE allocations.

- The Planned Starts, Completes, Ongoing and Obligations Report (RMVL-18), provides planning information for the removal program.

- The Cost Recovery Category Report (CRCR) will be used to negotiate cost recovery targets.

EXHIBIT II-3

SCAP PLANNING/TARGET SETTING CERCLIS REPORTS

DQCK-1: *Data Quality Check Reports*
SCAP-1: *Non-NPL Site Summary Report*
SCAP-2: *NPL Site Summary Report*
SCAP-4: *Financial Report - FY90 APPR*
SCAP-5: *Financial Report - FY90 ALT*
SCAP-13: *Projected Planning Estimates and Projected Measures*
SCAP-14: *SCAP/SPMS Targets and Accomplishments Summary Report*
SCAP-16: *Target/Negotiation Report*
AUDIT-10: *Event/Activity Summary Report for NPL Sites*
RMVL-18: *Planned Starts, Completions, Ongoing and Obligations*
ENFR-2: *Litigation/Consent Decree Summary Report*
ENFR-3: *RD/RA Negotiations Report*
ENFR-4: *Statute of Limitations Management Report*
ENFR-(TBD): *CRCR - Cost Recovery*

SCAP ACCOMPLISHMENT REPORTING

Accomplishments data are recorded on Site Information Forms (SIF) and CERHELP Non-Site Incident Activity Maintenance Forms, or other regional data entry forms and entered into Wastelan, CERCLIS and CERHELP by the IMC or designee. Data on accomplishments should be entered into Wastelan or CERCLIS within five working days of the event or activity. **Only accomplishments reported in CERCLIS will be recognized by HQ.**

Beginning on the first day of each month, regions should generate SCAP reports for internal review. Regions should perform data quality checks and make adjustments to CERCLIS or CERHELP if the data bases do not reflect actual accomplishments.

On the fifth working day of each month, HQ will pull data from CERCLIS on a selected number of key indicators of progress in the Superfund program (i.e., Removals, RI/FS starts, RODs, RDs, RA, Post SARA RA starts, RD/RA Consent Decrees, Section

120 IAGs, Cost Recovery Referrals). These numbers will be the official numbers used for the Superfund Progress Report and any reports of progress given to the Administrator, Assistant Administrator, Congress and the news media. This is also the information that will be used for calls to the Regional Administrators regarding progress on the key indicators tracked in the Assistant Administrator's pro-active memorandum.

On the fifth working day of each quarter, HQ pulls SCAP reports from CERCLIS and CERHELP. These reports are reviewed by HQ to evaluate regional progress toward SCAP targets and are submitted to OMSE for reporting SPMS accomplishments. It is important to note that in addition to reporting accomplishments in CERCLIS, regions must continue to enter SPMS data into the OMSE SPMS system. If a region identifies a discrepancy between the accomplishments the region entered into the OMSE system and the accomplishments reported by HQ, they should note it in the system and contact the relevant HQ program office. Discrepancies must be resolved generally by the 15th working day of a quarter.

CERCLIS Reports for Accomplishment Reporting

Exhibit II-4 presents CERCLIS reports HQ uses to evaluate regional accomplishments. All are used for reporting and crediting SCAP/SPMS targets and accomplishments. Following is a discussion of these reports:

- The Projected Planning Estimates and Projected Measures (SCAP-13), SCAP/SPMS Targets and Accomplishments (SCAP-14) and Event/Activity Report for NPL Sites (AUDIT-10) reports are used by the pre-remedial, remedial and enforcement programs to provide planned and actual information for events and activities.

- Quarterly Removal Plans and Accomplishments Summary show actual (RMVL-7A) removal starts and actual (RMVL-7B) removal completions.

- Financial information and the status of obligations are provided by the SCAP Financial Report - FY90 APPR (SCAP- 4) and the SCAP Financial Report - FY90 ALT (SCAP-5).

SCAP/SPMS ADJUSTMENTS AND AMENDMENTS

After targets have been finalized and planned funding levels developed, the SCAP process provides the flexibility to modify plans during the year. Modifications to planned targets are termed either adjustments or amendments. Amendments are SCAP changes which:

- Increase the region's annual operating budget (OERR or OWPE);

- Change the AOA ; or

- Change a quarterly or annual SCAP or SPMS target.

EXHIBIT II-4

PROGRAM EVALUATION CERCLIS REPORTS

SCAP-4:	*SCAP Financial Report - FY90 APPR*
SCAP-5:	*SCAP Financial Report - FY90 ALT*
SCAP-13:	*Projected Planning Estimates and Projected Measures Report*
SCAP-14:	*SCAP/SPMS Targets and Accomplishments Summary Report*
RMVL-7:	*Quarterly Removal Plans and Accomplishments Summary*
AUDIT-10:	*Event/Activity Report for NPL Sites*

Amendments require HQ concurrence and approval. Any other SCAP change, including site substitutions, is an adjustment and does not require HQ approval. Adjustments should be reflected in CERCLIS by updating the site-specific data base and the CERHELP Targets and Accomplishments data file on an ongoing basis. The processes described in Exhibit II-5 must be followed when amending the SCAP. Chapter VI outlines the procedures for processing AOA change requests. The Office of Program Management (OPM) and the program offices in OERR and the Compliance Branch of OWPE provide input on SCAP amendment approval decisions.

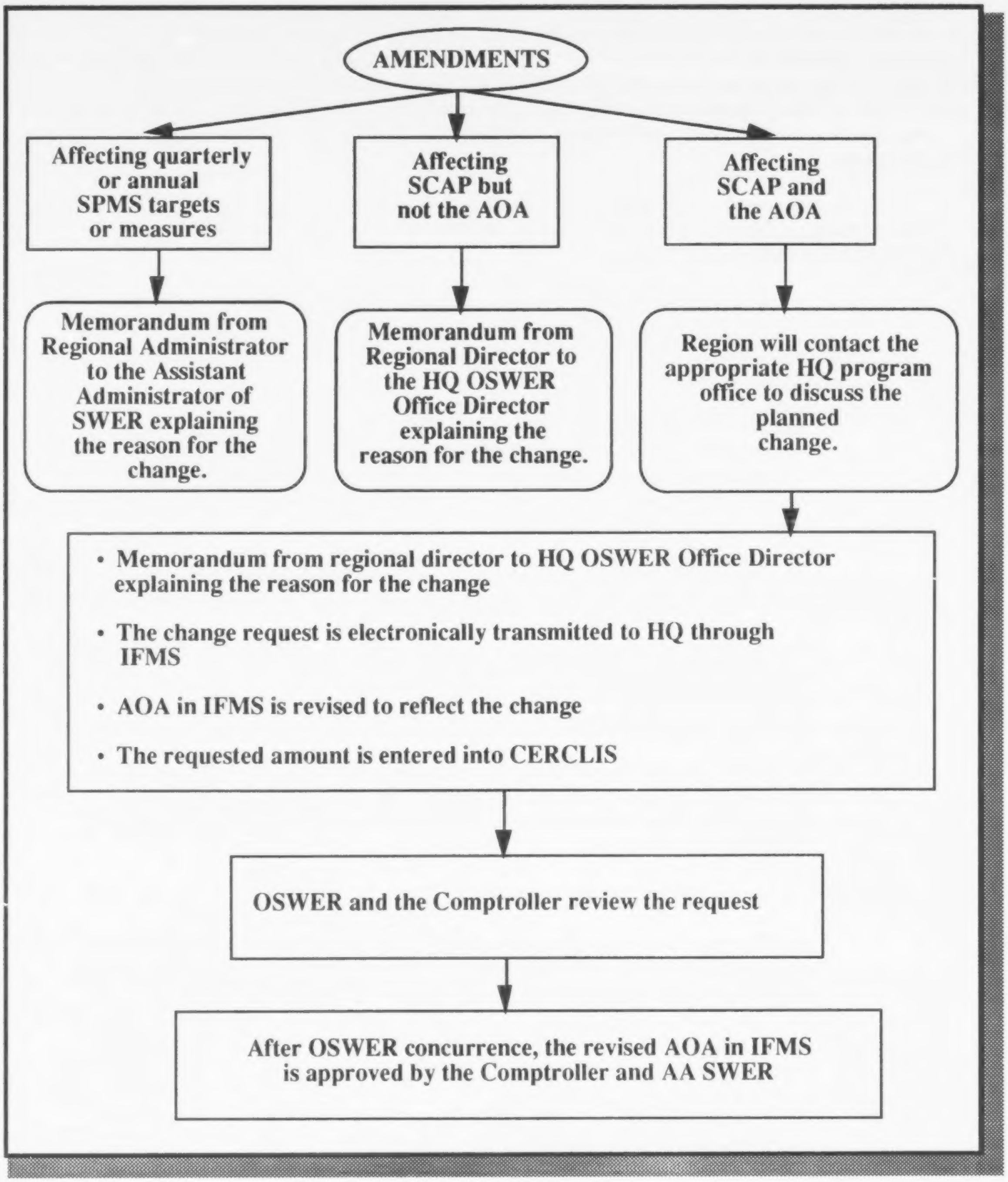
Changes to SPMS commitments should not be made simply because targets will not be met. However, in some cases, amendments to targets may be necessary and may be changed under the following conditions:

- Major, unforeseen contingencies arise that alter established priorities (i.e., Congressional action);
- Major contingencies arise to alter established regional commitments (i.e., state legislative action); or
- Measure or definition in system is creating an unanticipated negative impact.

OSWER requires that all SPMS amendments be submitted to HQ by April 15 in order to meet the April 30 deadline imposed by OMSE. SPMS amendments must be approved by the AA SWER. The OPM and program offices in OERR and the Compliance Branch in OWPE provide input on SPMS amendment approval decisions. All amendments should be recorded in the CERCLIS site-specific data base as an "approved" action after the region issues the change request or memorandum to OSWER. Regions should not initiate any obligation against change requests until the Office of the Comptroller and AA SWER approve the revised AOA in IFMS. The site back-up in the Targets and Accomplishments data file will be revised by HQ if the amendment is approved. If the amendment is not approved, HQ will notify the region and the "approved" record in CERCLIS will have to be revised.

EXHIBIT II-5

SCAP AMENDMENT PROCESS


AMENDMENTS
Affecting quarterly or annual SPMS targets or measures
Affecting SCAP but not the AOA
Affecting SCAP and the AOA
Memorandum from Regional Administrator to the Assistant Administrator of SWER explaining the reason for the change.
Memorandum from Regional Director to the HQ OSWER Office Director explaining the reason for the change.
Region will contact the appropriate HQ program office to discuss the planned change.
• Memorandum from regional director to HQ OSWER Office Director explaining the reason for the change
• The change request is electronically transmitted to HQ through IFMS
• AOA in IFMS is revised to reflect the change
• The requested amount is entered into CERCLIS
OSWER and the Comptroller review the request
After OSWER concurrence, the revised AOA in IFMS is approved by the Comptroller and AA SWER

MAINTAINING THE TARGETS AND ACCOMPLISHMENTS FILE

HQ is responsible for putting the preliminary and final negotiated SCAP/SPMS targets and site back-up in the Targets and Accomplishments file in CERHELP. During the fiscal year, HQ will also be responsible for changing the targets and site back-up if amendments are approved. Regions are responsible for updating the Targets and Accomplishments file to reflect SCAP/SPMS adjustments. **Regions will not receive credit for an accomplishment(s) unless the appropriate site name(s) is recorded in the Targets and Accomplishments file in CERHELP**. Appendix D contains tables which show which targets and measures require site-specific backup in CERHELP.

Following are guidelines for regional maintenance of the Targets and Accomplishments file. Additional detailed instructions on CERHELP can be found in the CERCLIS Users Reference Manual.

- Regions will be allowed to add to or delete sites from the Targets and Accomplishments file only in the case of site substitutions. However, the site-specific CERCLIS records should be updated at the time a SCAP or SPMS amendment is requested.

- The number of approved sites named in the Targets and Accomplishments file must equal the numerical target. If a region has a target of eight RDs, for example, eight approved sites must be named in the Targets and Accomplishments site back-up.

- If "to be determined" (TBD) sites are used instead of real sites in the Targets and Accomplishments file, there must be enough candidate sites in CERCLIS that can be used to replace the TBD sites as soon as possible.

- A site and its associated events/activities which are planned site-specifically must be in CERCLIS before they can be in CERHELP. FTE **distributions** use site data in CERHELP. Regions may lose FTE if appropriate site backup is not in CERHELP.

- It is essential that the list of sites that support the targets be kept up-to-date and current. Regional SCAP adjustments must be reflected in CERHELP. This includes site substitutions and changes in schedules that do not affect SPMS or SCAP targets.

Following are the procedures for making changes to the CERHELP target site data:

- Each time a change to site data in CERCLIS results in a SCAP adjustment, run the CERHELP Target Maintenance Report for FY90 (Report #4 on the CERCLIS Site Reports Menu).

- Locate the Target Activity Code page on the report (report is sequenced alphabetically by Target Activity Code).

- Scan target site data to locate site no longer being targeted and delete the EPA ID, Operable Unit and Event Codes or Enforcement Activity Code.

- Record corresponding codes for the replacement site.

- Access Non-Site/Incident Screen #27 -- CERHELP Target/Accomplishment Data Maintenance Screen:

  -- Enter Action Code C=Change and Record Type S=Site
  -- To access record to be changed, enter required field data (region, Fiscal Year, activity type, lead, quarter and sequence number codes) directly from report
  -- Enter replacement site data (EPA ID, OU and Event or Enforcement Activity Codes)
  -- Run Target Maintenance Report to verify changes. File report for use in making subsequent changes.

- The HQ SCAP Coordinator and interested program offices will run National Target Maintenance Reports as needed to review changes.

CHAPTER III

NATIONAL INFORMATION NEEDS

CHAPTER III - NATIONAL INFORMATION NEEDS

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **CERCLIS data should be updated at least monthly.**
- **On the fifth working day of each month, HQ pulls planning and accomplishment data from CERCLIS to support a variety of official reporting requirements.**
- **No accomplishments are reported that are not accurately recorded in CERCLIS by the pull date.**

CHAPTER III - NATIONAL INFORMATION NEEDS

This chapter identifies major recurring Superfund national information needs obtained through CERCLIS (other than SCAP/SPMS which are fully discussed in other parts of this manual) and associated regional CERCLIS data entry requirements. Particular emphasis is placed on the necessity for more frequent updating (within five working days) of the planning and accomplishment data in CERCLIS to support monthly and ad hoc management reporting. The chapter describes data entry and reporting schedules for the CERCLIS Superfund Progress Report, senior management monthly program status reports, and Enforcement program management reports. Some of the reports may change as a result of changes in HQ senior management. The regions will be kept informed of any new or revised reporting requirements.

INTRODUCTION

In the past, most Superfund reporting has been on a quarterly basis to support the SCAP/SPMS process. Prior to the start of FY89, the regions were only required to assure that data were up-to-date just before the quarterly planning and accomplishment data pulls. However, now that data quality has improved to the point that CERCLIS can be used for its intended ongoing program and project management function, Superfund managers are starting to request more frequent reports on program status.

CERCLIS data are now the basis of the monthly management reporting process. For this process to be effective, the data must be updated on at least a monthly basis. This includes not only actual accomplishment data but current planning data as well. Emphasis has been placed on the importance of providing official Superfund numbers and site names to CERCLIS in a timely manner. Since accomplishment for RODS, RDs, RAs, Removals, site completions/deletions, negotiation conclusions, cost recovery, AOs and referrals with and without settlement are taken from CERCLIS, it is no longer acceptable to report success in a less than formal manner.

In addition, Headquarters is also initiating several strategies for enhancing data quality in CERCLIS. In December 1988 Headquarters began a comprehensive effort to clean up the data in CERCLIS. While current SPMS and SCAP data seem to be of fairly high quality, significant problems exist with historical program-to-date and SARA-to-date data. In addition, the various management reports that are now being produced on a monthly basis are giving inconsistent data.

The purpose of the data quality initiative is to 1) establish consistent select logic among the various management reports; 2) correct historical and miscoded data in CERCLIS; 3) produce CERCLIS reports which are consistent with each other and with numbers from definitive outside sources; and 4) establish an ongoing data quality program.

A detailed review of all major management reports has already been completed, including SPMS, SCAP, the Superfund Progress Report, enforcement reports, and workload model reports, and reprogramming is underway to make the select logic more consistent. Upon completion of this effort the select logic will be made available to the regions. Also, audit reports have been added to the CERCLIS menu for regional use in cleaning up historical data. The effort has been prioritized so that the data quality effort is focused on the more critical measures, such as RODs, RD starts, RA starts, Consent Decree, Litigation, etc. Headquarters will also be forming a workgroup to look into the ongoing problem of data quality in CERCLIS data elements not used for ongoing SPMS and SCAP reporting, such as technical and administrative data elements. Data quality in data elements that are not directly tied to regional Advices of Allowance, SPMS accomplishments, the workload model, etc., is of growing concern, particularly with the start of the environmental results initiative. The workgroup will be soliciting regional participation and suggestions in this area.

To be consistent with the quarterly SCAP/SPMS reporting requirements, end-of-month CERCLIS reports will be run on the fifth working day of the next month (specific dates are contained in the manager's schedule of significant events found at the beginning of this manual). CERCLIS must be up-to-date when these reports are prepared. The most effective way to assure that CERCLIS is up-to-date is to enter data as an event or activity occurs (i.e., on a real-time basis). This will ensure that the monthly and quarterly management reports are accurate and that any interim ad hoc reports will contain the latest information. Other non-recurring information requests, such as Freedom of Information Act requests, can also be satisfied using up-to-date CERCLIS data, with little or no need for additional data collection.

In FY90 the Agency will begin reporting environmental results achieved by Superfund. The data elements required for this reporting will be derived from the Superfund Environmental Indicators Project that has been ongoing for the past year. The reporting requirements will be phased in over the next two years, starting at the beginning of FY90 with data that are readily available to the regions in such potential areas as volumes of waste handled, reduced human exposure, reduced concentrations, and elimination of pathways of exposure. Specific guidance on required elements, data sources, and how this information will be collected and reported will be issued separately.

The following sections provide a brief description of the reporting requirements (other than SCAP/SPMS) used for Superfund program management and in the Monthly Management Reports package.

SUPERFUND PROGRESS REPORT (SPR)

The Superfund Progress Report is a monthly report of year-to-date and inception-to-date accomplishments of the Superfund program. No planning data are included in the SPR. The report records site-level (as opposed to operable unit, event and activity) accomplishments at all NPL and non-NPL sites. It is derived from essentially the SCAP/SPMS event and activity data. The Superfund Progress Report is distributed widely to the press, public and Congress and is the official source for many of the statistics used to measure the progress of the Superfund program.

Because the SPR is run monthly, relevant CERCLIS accomplishment data must be updated on a monthly basis. **The SPR report will be run on the fifth working day of each month.** To be available for the SPR Report, CERCLIS changes must be complete by close of business on the fifth working day of each month. This also means that uploads from Wastelan must be done by then. It is critical that the data used in generating the SPR be as up-to-date and accurate as possible. Inaccurate, misleading, or outdated information will severely affect program credibility since this report is regularly given to Congress and the public.

This report is also a part of the OERR Monthly Management Reports mentioned later in this chapter.

SENIOR MANAGEMENT PROGRAM STATUS REPORTS

Now that CERCLIS is in the full production mode and data quality has improved to the point that it can be used effectively for program and project management, a series of monthly reports are being generated for senior managers. Primary among these requirements is the "Superfund Monthly Briefing" package for the Assistant Administrator for Solid Waste and Emergency Response. This package, run on the fifth working day of each month and presented to the AA at a monthly status briefing given by the OERR and OWPE Office Directors, contains progress status information and regional comparison in graphical format. The monthly management reports change from time to time. Following are the reports that are currently included in the Superfund Monthly briefing:

- RI/FS Starts and Completions (First and Subsequent, PRP, Fund and State lead) -- shows regional progress against both RI/FS start and completion SCAP/SPMS targets;
- RI/FS Progress Ongoing (First and Subsequent) -- compares the number of RI/FS events that have been ongoing less than six quarters to RI/FS ongoing over six quarters;
- Average RI/FS Duration and Cost -- compares the average cost and duration of completed projects, pre-SARA starts that are still ongoing, and post-SARA starts that are still ongoing;
- First RODs -- shows the number of first RODs signed as well as the number on schedule and behind schedule for the current year SPMS cycle. Behind schedule is defined as when the current planned quarter is later than the targeted quarter;
- Subsequent RODs -- shows the number of subsequent RODs signed as well as the number on schedule and behind schedule. For a definition of behind schedule refer to the First RODs definition above;
- First RD Starts -- shows the number of first RDs started as well as the number on schedule and behind schedule. For a definition of behind schedule refer to the First RODs definition above;
- First RA Starts -- shows the number of first RAs started as well as the number on schedule and behind schedule. For a definition of behind schedule refer to the First RODs definition above;
- Post-Sara RA Start Target -- displays progress towards the SARA RA start target. Site progress is classified as either pre-remedial design, in remedial design, RA start no contract award, or RA contract awarded;
- RD/RA Negotiations -- depicts the target RD/RA negotiations and shows where negotiations have been completed or have slipped;
- RD/RA Settlements -- depicts total RD/RA consent decrees and unilateral orders in compliance;
- RD/RA Enforcement -- shows UAOs for RD/RA as well as 106 referrals for RD/RA;
- Settlements for PRP Work and Cost Recovery -- depicts the value of settlements for PRP work to be performed (Section 106) and the dollars recovered from PRPs via settlements (Section 107 & 122);
- Cost Recovery Actions Referred to Headquarters/DOJ -- depicts the number of site referrals and dollars per region where cost recovery actions for pre-remedial action and remedial projects have been referred to Headquarters or to the Department of Justice;

- Removal Starts and Obligations (First and Subsequent, PRP and Fund lead) -- a comparison of removal starts as a percent of target and obligations, shown as a percent of allowance. RP response cost estimates are also shown;

- PA and SI Completions -- displays progress towards the annual PA and SI target levels;

- Superfund Site Completions and Deletions from the NPL -- displays the number of sites deleted from the NPL, sites noticed for deletion, sites with completed close out reports awaiting publication of deletion notice, Long Term Response Actions, and sites with completed final action but close out report not final; and

- Federal Facility IAG Negotiations -- depicts the number of sites where IAG negotiations for RI/FS through RD/RA or RD/RA only have been completed, have slipped, or are anticipated to start by years end.

The management reports, listed above, are being supplemented by monthly management reporting packages in both OERR and OWPE and gathered into the "OSWER Monthly Management Reports" package which is distributed to both Headquarters and regional management. **It is absolutely essential that end-of-month CERCLIS data be up-to-date as of the fifth working day of each month.** This is the day that reports will be pulled from CERCLIS to satisfy these monthly reporting requirements. Again it is strongly recommended that planning and accomplishment data be entered on a daily basis as events, activities, and slippage occur.

Response Reports

The following CERCLIS reports along with the "Superfund Monthly Briefing" are part of the OERR Monthly Reports to management:

- Proactive Report -- shows targets and slippages for current quarter targets for RODs, RDs and RAs. Slips are defined as where the current planned accomplishment quarter is later than the originally targeted quarter or where the current planned quarter is blank. Target and slippage data presented on this report are only through the current FY/Quarter. This should not be confused with the Proactive Memorandum that was formerly produced;

- Average Duration and Costs of Major Activities -- presents the number, the average duration in quarters, and the average cost of major remedial events for three classes of events: completed events, pre-SARA starts still ongoing, and post-SARA starts still ongoing;

- Pipeline of Ongoing Major Remedial Events -- shows total starts and completions of fund lead remedial events by year. By computing starts and completions the report indicates the number of ongoing projects (operable units) at the end of the fiscal year;

- Pre-Remedial and Remedial Program Performance -- displays the percent of the current quarter target that was achieved in the major pre-remedial and remedial program areas. Performance is aggregate performance (Fund/PRP);

- Ongoing Work at NPL Sites -- shows the number of ongoing RI/FS, RD, and RA (operable units) over time, by lead;
- Removal Starts and Completions -- provides a summary of all NPL and Non-NPL Removal starts and completions since inception and also includes information on the duration of ongoing removals;
- Superfund Progress Report -- provides information on site activity, including financial and enforcement information. This report is also used as a stand alone report. For a more detailed description refer to the previous section in this chapter titled Superfund Progress Report;
- Superfund Numbers Matrix (event- and activity-based counts) -- displays accomplishment totals, by lead, over three time periods: since program inception, post-SARA, and pre-SARA;
- Completions/Deletions Site Listing -- lists sites deleted from the NPL, sites noticed for deletion, sites with completed close out reports awaiting publication of deletion notice, Long Term Response Actions, and sites with completed final action but close out report not final;
- Site Inventory and Progress Toward SARA Targets -- provides a summary of pre-remedial activity with an emphasis on progress towards SARA targets and annual SPMS commitments; and
- Regional Commitments and Obligations -- shows commitments and obligations against the quarterly advice of allowance by allowance type and by region.

Enforcement Reports

The following CERCLIS reports along with the "Superfund Monthly Briefing" are used by Enforcement management in order to monitor not only accomplishments versus targets, but also planned activities or any activities that might call for immediate action:

- Program to Date Superfund Settlements -- This report lists all Settlements with a financial type of "R", or where PRP work is to be performed;
- Statute of Limitations Management Report -- This report lists planned and actual completion dates for removal, RI/FS, and remedial activities for all quarters. Planned and actual obligations for each type of activity are also included;
- Dingell Quarterly Report -- This report lists the status of ongoing negotiations, special notice letter information, sites where federal agencies are PRPs, and those federal agencies that are PRPs;
- Cost Recovery Category Report -- This report lists every removal completed, every RA started and some pre-RA activities that are ripe for cost recovery. The sites are divided into two categories - actions already taken and sites needing action.

- "Report Card" Reports -- The reports list, by fiscal year, PRP and Fund response counts along with site back-up. Additional enforcement Activity Reports, by fiscal year, recording counts with site back-up for major enforcement activities are also used.

ADMINISTRATIVE REQUIREMENTS

In addition to the previously mentioned reporting requirements, CERCLIS provides valuable information to a broad range of users. For example, the Freedom of Information Act (FOIA) provides public access to CERCLIS data that have not been designated as confidential. These data are provided to private citizens, public and private interest groups, and industry (See Appendix B for FOIA information). Site name, description, location, NPL status, and current site activity are of particular interest to some of these groups, while not always being critical to internal management reporting requirements.

Ad hoc requests from Congress can also be answered, in many cases, by data contained in the CERCLIS data base. The more up-to-date and complete Superfund site data are, the more outside requests can be satisfied by queries of the CERCLIS database, and less time will have to be spent by the regions in searching through files.

There are also data elements in CERCLIS that are used as links to other data bases. The Zip Code is used by the Geograph data base to provide system-generated data to CERCLIS with site latitude, longitude, hydrogeologic unit, standard metropolitan statistical area, county name, county code, and congressional district. The EPA ID is supplied by the FINDS system and is used in data bases throughout EPA and other Federal Agencies, which relate to Superfund sites. The Superfund account number is used in CERCLIS and the Integrated Financial Management System (IFMS) and links CERCLIS and IFMS financial data. While some of these elements are not critical to SCAP, SPMS or SPR, they are nonetheless of great importance to the efficient running of the CERCLIS data base and other related programs.

CHAPTER IV

TARGETS AND MEASURES

CHAPTER IV - TARGETS AND MEASURES

ROLE OF SCAP

SCAP and SPMS targets are the key device by which program goals are translated into quantifiable program achievements. They identify performance expectations for the regions and should not be seen as only a method for allocating resources. Specific targets are negotiated by HQ and the regions. The regions are expected to concentrate their resources on achieving these targets.

SPMS is used by the Administrator to set and monitor the progress each program is making toward meeting its environmental goals. SPMS targets and measures are reported quarterly by HQ and the regions to the Office of Management Systems and Evaluation (OMSE) through the OMSE SPMS computer system. SCAP is used by the Assistant Administrator SWER and senior Superfund managers to monitor the progress each region is making toward achieving its Superfund goals. SCAP targets and measures are reported monthly by the regions through CERCLIS. As discussed in Chapter I, the CEPP does not use CERCLIS for reporting SCAP accomplishments. The reports used by the CEPP in recording quarterly accomplishments can be found in Volume II, Appendix F "reserve".

National and regional SPMS goals are established and tracked through SCAP. SPMS targets are a subset of those contained in SCAP.

SCAP/SPMS TARGETS AND MEASURES

A SCAP or SPMS target (either quarterly or annual) is a pre-determined numerical goal that is established prior to the fiscal year the designated activities will take place. All SPMS targets are SCAP targets. An example of a SCAP and SPMS targeted activity is a first RD start. Annual budgets and resources are allocated based on SPMS and SCAP targets. In addition, regions are evaluated on a quarterly basis according to their completion of activities with established targets.

A SCAP or SPMS measure, on the other hand, is used to track an activity that is important in monitoring overall program progress. The three types of measures are SCAP planning estimates, SPMS reporting, and the Chemical Emergency Preparedness Program (CEPP), which uses SCAP reporting measures. Planning estimates result in numerical goals being established prior to the fiscal year (e.g., RD completions) which are used in setting annual budgets and full-time equivalent (FTE) staff allocations. Regions report progress against the planning estimates. SPMS reporting measures have no associated quantitative goals; only actual accomplishments are tracked (e.g., AOs for PRP response). SCAP reporting measures are used by the CEPP to report progress toward achieving a SCAP target or to describe the types of activities being conducted.

There has been growing concern during the past two years that the SPMS measures have been increasing in number and require reporting on milestones that are difficult to predict months in advance or that are so closely related in time that it is unnecessary to report on both. In an effort to address these concerns, continue to provide the Administrator with information on the progress of the program and retain or develop measures that support environmentally significant program priorities, the FY90 combined Fund and Enforcement SPMS targeted activities have been reduced to the following:

- Number of sites with completed Site Inspections;
- Number of NPL sites addressed through a removal action or RI/FS start;
- Number of remedies selected at NPL sites;
- Number of remedial design activities started;
- Number of remedial action activities started; and
- Number of sites where all remedial/removal implementation has been completed.

The new measures are the number of NPL sites addressed and the number of sites where all remedial/removal implementation has been completed. The NPL sites addressed measure is an effort to initiate response actions at the backlog of NPL sites which have been left dormant after the SI stage. The remaining measures are unchanged from FY89 and represent the major environmental milestones of the program. Measures being dropped from SPMS will still be included as SCAP targets or measures to be targeted, reported against and evaluated by the Assistant Administrator and senior Superfund management.

Exhibits IV-1 and IV-2 on the following pages contain the SCAP/SPMS Targets and Measures. Definitions and planning requirements for Pre-Remedial, Remedial, Removal, Enforcement, Federal Facility and Oil Spill activities are in Volume II, Appendix D. SCAP/SPMS Targets and Measures for the Chemical Emergency Preparedness and Prevention Program are found in Exhibits IV-3 and IV-4. CEPP definitions and requirements can be found in Appendix F.

EXHIBIT IV-1
SCAP/SPMS TARGETS

ACTIVITIES	SPMS TARGET	SCAP TARGET	QUARTERLY TARGET	ANNUAL TARGET
Pre-Remedial				
Preliminary Assessment (PA) Completions		X	X	X
Site Inspection (SI) Completions (S/F-1)	X	X	X	X
Remedial				
Remedial Investigation/Feasibility Study Start				
First RI/FS Starts		X	X	X
Subsequent RI/FS Starts		X	X	X
RI/FS To Public		X	X	X
RI/FS Completions (ROD) (S/C-3)	X*		X	X
First RI/FS Completions (ROD)		X	X	X
Subsequent RI/FS Completion (ROD)		X	X	X
Final RI/FS Completion (ROD)		X	X	X
Remedial Design (RD) (S/C-4)	X*		X	X
First RD Start		X	X	X
Subsequent RD Starts		X	X	X
Final RD Start		X	X	X
Remedial Action (RA) Start (S/C-5)	X*		X	X
First RA Start - RP		X	X	X
First RA Start - Fund		X	X	X
Subsequent RA Start-RP		X	X	X
Subsequent RA Start - Fund		X	X	X
Final RA Start - RP		X	X	X
Final RA Start - Fund		X	X	X
NPL Sites with RA Starts Post-SARA		X	X	X
Final RA Completions		X	X	X
Deletion Initiated		X	X	X

* The SPMS target combines first, subsequent and final as a single target.

EXHIBIT IV-1 (CONTINUED)
SCAP/SPMS TARGETS

ACTIVITIES	SPMS TARGET	SCAP TARGET	QUARTERLY TARGET	ANNUAL TARGET
Removal				
NPL Removal Start		X		X
Non-NPL Removal Start		X		X
NPL Site Completions through Removal Actions		X	X	
Remedial/Removal				
NPL Sites Addressed through removal action or RI/FS start (S/C-2)	X		X	X
NPL Sites where all remedial/removal implementation has been completed (S/C-6)	X		X	X
Enforcement				
Start of RD/RA Negotiations		X	X	X
Conclusion of RD/RA Negotiations		X	X	X
Small Case Cost Recovery Referrals		X	X	X
Administrative Settlements		X	X	X
Section 106 RD/RA Referrals/Orders (S/E-4)				
- with settlement	X	X	X	X
- without settlement	X	X	X	X
- Unilateral Orders	X	X	X	X
Section 107 Cost Recovery Referral Actions and Settlements (>$200,000) (S/E-2)				
- Pre-RA	X	X	X	X
- Remedial Action and other pre-RA Events	X	X	X	X
Federal Facility				
NPL Sites with Federal Facility Agreements/ Interagency Agreements (S/E-5)	X	X	X	X
RI/FS Start		X	X	X
RI/FS Completions (ROD)	X	X	X	X
RD Start		X	X	X
Remedial Action Start	X	X	X	X
First RA Start		X	X	X
Subsequent RA Start		X	X	X
Final RA Start		X	X	X

EXHIBIT IV-2
SCAP/SPMS MEASURES

ACTIVITIES	SPMS REPORTING	SCAP PLAN/REPORT	QTRLY	ANNUAL
Pre-Remedial				
% SI Candidates Req.Further Action (S/F-1a)	X		X	X
FIT-PA/SI Completions		X	X	X
State-PA/SI Completions		X	X	X
Sites with LSI Starts		X		X
Remedial/Removal				
Percent of NPL Sites Addressed to date (S/C 2a)	X		X	X
Remedial				
RD Completions		X	X	X
RA Completions		X	X	X
RA On-Site Construction		X	X	X
Treatability Studies		X	X	
Removal Completions				
Removal Investigations Completed at NPL Sites		X		X
Removal Completions		X		X
Federal Facilities				
NPL Sites with RA Start Post - SARA		X	X	X
Oil Spill Activities				
SPCC Inspections/Reviews		X		X
Clean Water Act Funded Oil Spills Cleaned Up by EPA		X		X
On-Scene Monitoring of Oil Spill Responses		X		X

EXHIBIT IV-2 (CONTINUED)
SCAP/SPMS MEASURES

ACTIVITIES	SPMS REPORTING	SCAP PLAN/REPORT	QTRLY	ANNUAL
Enforcement				
NPL PRP Search Start		X	X	X
Non-NPL PRP Search Start		X	X	X
NPL Sites with Completed PRP Searches		X	X	X
Non-NPL Sites with Completed PRP Searches		X	X	X
Issuance of General Notice Letters		X	X	X
Issuance of Special Notice Letters		X	X	X
Removal Negotiations Starts		X	X	X
Removal Negotiations Complete		X	X	X
Administrative Orders for Removals (S/E-1)	X	X	X	X
RI/FS Negotiations Start		X	X	X
RI/FS Negotiations Complete		X	X	X
Section 106/107 Referrals with or w/o Settlement (>$200,000) (S/E-2)				
- Pre-RA	X	X	X	X
- Remedial Action and other pre-RA Events	X	X	X	X
Section 106, 106/107 Case Resolution		X	X	X
Section 107 Case Resolution		X	X	X
Dollars Achieved thru Cost Recovery (S/E-3)	X		X	X
104(e) Letters Issued		X	X	X
104(e) Referrals		X	X	X
Demand Letters Issued		X	X	X
Cost Recovery Close-out Memo		X	X	X
Administrative Record Compilation Completed (Removal and Remedial)		X	X	X
Compliance Enforcement		X	X	X

EXHIBIT IV-3
CEPP SCAP/SPMS TARGETS

ACTIVITIES	SPMS TARGET	SCAP TARGET	QUARTERLY TARGET	ANNUAL TARGET
CEPP				
Status of Title III implementation in each State	X	X	X*	X
Technical assistance activities which EPA conducted, sponsored, assisted in developing or participated	X	X	X	X
Exercises in which EPA provided assistance to or participated in to test Federal, State or local plan	X	X	X	X
Chemical safety audits conducted	X	X	X	X
Formal training courses EPA conducts or participates in to improve Federal, State and local chemical emergency preparedness programs	X	X	X	X

Quarterly targets vary. Specific dates are to be determined.

* Second and fourth quarters only, by state.

EXHIBIT IV-4
CEPP SCAP/SPMS MEASURES

ACTIVITIES	SPMS REPORTING	SCAP REPORTING	QTRLY	ANNUAL
CEPP				
Outreach activities in which EPA participated in, conducted, sponsored or developed		X	X	X
Investigations of possible violations of Sections 302, 303, 304, 311 or 312	X	X	X	X
Section 304 violations identified	X	X	X	X
Facilities determined to be in violation of Sections 302, 303, 311 or 312	X	X	X	X
Administrative Orders, judicial referrals and State orders for 302, 303, 304, 311 and 312	X	X	X	X
EPA informal or formal enforcement actions which resulted in non-compliers returning to compliance	X	X	X	X
Earthquake Preparedness Program				
Completion of draft Hazardous Materials Annex to the multi-agency plan for Federal response to a catastrophic earthquake for the region		X	X*	X
Participation in earthquake preparedness activities		X		X
National Security Emergency Preparedness Program				
Participation in National Security Emergency Preparedness activities		X		X

Quarterly targets vary. Specific dates are to be determined.

* Second and fourth quarters only.

CHAPTER V

PROGRAM PLANNING REPORTING REQUIREMENTS AND PROCEDURES

CHAPTER V - PROGRAM PLANNING REQUIREMENTS AND PROCEDURES

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **Pre-remedial**
    - **In order to receive credit for Preliminary Assessments and Site Inspection completions, the completion date and a decision on further activities must be entered into CERCLIS.**
- **Removal**
    - **Enter planning data on removal actions into CERCLIS as soon as a site is identified or the quarter before a removal will begin.**
- **Response**
    - **CERCLIS must identify lead for all response events and enforcement activities.**
    - **If a PRP takes over an RI/FS after Fund dollars have been obligated, the unspent funds should be deobligated.**
    - **If a PRP takes over an RD/RA after Fund dollars have been obligated, the region should retain the fund's needs for oversight, and deobligate the remainder.**
    - **For outyear budget purposes provide schedules for all core remedial events and enforcement activities when identifying sites for RI/FS starts.**
    - **Standard durations should only be used until more accurate timeframes for response events and enforcement activities are not available. When better planning data and schedules are developed CERCLIS must be revised.**

CHAPTER V - PROGRAM PLANNING REQUIREMENTS AND PROCEDURES (Cont'd)

ONE MINUTE PROGRAM MANAGER RULES

- Response (Cont'd)
  - A mega-site management plan must be submitted to HQ for all sites where the total site RI/FS work exceeds $3 million.
  - Request funds for treatability studies separate from the RI/FS under the "TS" event in CERCLIS. Record actual start and completion dates for treatability studies in CERCLIS.
  - Remedial action information must be entered into CERCLIS. Regions will not receive funds for an RA in their Advice of Allowance unless the RA remedy type is in CERCLIS. Regions will not receive credit for a PRP RA start unless the remedy type is in CERCLIS.
  - Negotiate reimbursement of Technical Assistance Grants at Federal Facilities during FFA/IAG negotiations.
  - Mixed funding settlements must be planned. Funds are part of the region's RA budget.
  - Send notice letters to PRPs, conduct negotiations and issue administrative Orders at every removal, time permitting.
  - Prepare enforcement site management plans shortly after a site is proposed for the NPL.
  - Issue notice letters for RI/FS at least 90 days prior to the planned RI/FS start.

CHAPTER V - PROGRAM PLANNING REQUIREMENTS AND PROCEDURES (Cont'd)

ONE MINUTE PROGRAM MANAGER RULES

- Response (Cont'd)
  - A mega-site management plan must be submitted to HQ for all sites where the total site RI/FS work exceeds $3 million.
  - Request funds for treatability studies separate from the RI/FS under the "TS" event in CERCLIS. Record actual start and completion dates for treatability studies in CERCLIS.
  - Remedial action information must be entered into CERCLIS. Regions will not receive funds for an RA in their Advice of Allowance unless the RA remedy type is in CERCLIS. Regions will not receive credit for a PRP RA start unless the remedy type is in CERCLIS.
  - Negotiate reimbursement of Technical Assistance Grants at Federal Facilities during FFA/IAG negotiations.
  - Mixed funding settlements must be planned. Funds are part of the region's RA budget.
  - Send notice letters to PRPs, conduct negotiations and issue administrative Orders at every removal, time permitting.
  - Prepare enforcement site management plans shortly after a site is proposed for the NPL.
  - Issue notice letters for RI/FS at least 90 days prior to the planned RI/FS start.

CHAPTER V - PROGRAM PLANNING REPORTING REQUIREMENTS AND PROCEDURES

INTEGRATED PLANNING

Planning in the Superfund program is accomplished through the budget, operating guidance, SCAP and performance evaluation process. Successful planning requires the clear articulation of program priorities in the budget and operating guidance, accurate costing of these priorities in the budget, workload model and SCAP, and careful translation of the priorities and resource requirements into specific output commitments in SCAP and SPMS. Candid evaluation of performance against these commitments is essential to the assessment of the viability of program priorities, resource requirements and overall effectiveness.

Integrated planning is the responsibility of both HQ and the regions. HQ adjusts resources within and between the response and enforcement programs to ensure that priority activities have adequate resources. Regions provide specific input on the level of resources needed to accomplish priority activities and negotiate commitments consistent with realistic site planning. Regions should not accept targets that require completion of activities which cannot be funded or staffed within the resources provided.

Flexibility to adjust resources in response to changing program conditions decreases through time. Exhibit V-1 on page V-3, summarizes levels of flexibility as the operating year is entered. Major phases in the decision making continuum include:

- Formulation of the outyear budget 12 to 18 months prior to the fiscal year. Development of the budget includes identification of major program issues, analysis of program costs, and alignment of resources among competing priorities. These activities occur within an overall resource cap established by the Administrator and Assistant Administrator (AA) which balances Superfund needs against other Agency programs.

- Development of the initial operating plan six months prior to the fiscal year and final operating plan immediately prior to the start of the fiscal year. The operating plan and associated SCAP/SPMS output commitments are the vehicle by which OSWER translates national budget commitments into region specific targets and provides resources to support targets through the Advice of Allowance (AOA) and workload process. Regions are expected to live within the annual regional budgets established at the start of the year until the mid-year SCAP update. Regions have substantial flexibility within the general budget and AOA structure constraints to shift funds as needed to meet priority activities. Continued shifting of enforcement funds to the regional AOAs will increase this flexibility in FY90. HQ does not maintain contingency reserves in the operating plan. As a result, once the initial operating plan is established at the start of the year, resources can be shifted to a region only at the expense of resources for other regions.

- The mid-year update is used to realign resources in the current fiscal year and establish preliminary resource and target levels for the upcoming fiscal year. Current year resource adjustments focus on changes needed due to cost and project schedule changes. **Changes may result in both shifts within program areas and revised annual funding levels.** Estimates developed for the upcoming fiscal year represent the first formal opportunity for changing resources among program areas at a national level. The revised resource estimates also serve as a "baseline" for examining program needs in the budget year.

PROGRAM MANAGEMENT PROCEDURES

This section describes the information flow and HQ/regional responsibilities associated with the integrated planning.

HQ responsibilities in the integrated planning process include:

- Joint (Fund and Enforcement) establishment of a hierarchy of program priorities in consultation with the regions to be used in negotiations and adjustments of targets;
- Joint (Fund and Enforcement) review of operating plans and site commitments proposed by the regions prior to negotiations;
- Work with regional managers to determine how resources should be adjusted to meet program priorities;
- Timely communication with the regions on changes/additions to SCAP schedules;
- Seek to reprogram resources between the Fund and Enforcement programs if needed to support priority activities;
- Provide the funding and FTE at levels consistent with established pricing factors when targets are negotiated;
- Increased participation of regional managers in the formulation of preliminary resource requests; and
- Develop policy and guidance in response to Congressional or Agency initiatives.

Effective operation of integrated priority setting depends heavily on regional willingness to do the following:

- Manage projects to integrate enforcement and fund milestones and to ensure schedules and timelines are met;
- Provide accurate, complete and timely project planning data in CERCLIS and SCAP;
- Follow the established planning procedures and requirements so that HQ has a common basis to evaluate regional proposals; and

- Recognize that missed commitments severely impact resource availability (for example, FTE and dollars budgeted for negotiations and/or RD in a fiscal year cannot be used if the ROD slips past the fiscal year. The FTE cannot be replaced and the funds do not automatically roll over into the next fiscal year.)

EXHIBIT V-1

FLEXIBILITY SCALE FOR BUDGETING/PLANNING

◄ MINIMUM		MAXIMUM ►
OPERATING YEAR BUDGET (FY90)	**OPERATING YEAR BUDGET (FY91)**	**OPERATING YEAR BUDGET (FY92)**
1. Operating Plan Sets Funding Ceiling	1. Development of Operating Plan Begins 6 Months Prior to FY	1. Formulation Begins 12 - 18 Months Prior to FY Largely Dependent on Reg. Planning Data in CERCLIS
2. Quarter Specific Targets are Set - - SPMS Targets can be Changed only through Formal RA Request - Sites can be Substituted to Meet Commitments	2. Initial SCAP/SPMS Targets Set in March; Finalized in August	2. No Targets Set but Schedules and Estimated RA Cost Help to Drive Budget Request
3. Pricing Factors are Set - Cannot Change Pricing on Events/Activities	3. Pricing Factors can be changed through Regional/HQ Consensus	3. Pricing Factors are Subject to Review
4. Additional Funds/FTEs can only be Obtained through Special Requests	4. The Budget is Set but There is More Leeway to Make Adjustments Based on Proven Need	4. Budget is Constrained Based on Resource Cap Imposed by AA and Administrator Unless Exception can be Justified
5. Regions have Flexibility within General Budget and AOA Structure Constraint to Shift Funds to Meet Priority Activities		5. Flexibility to Design Budget to Optimize Cross-Program Priorities at Maximum
6. Mid-Year SCAP Update Used to Realign Resources	5. Mid-Year SCAP Update Sets Preliminary Resource Levels	
7. Flexibility on Dollars much Greater than FTEs through Reg. Reprogramming	6. Flexibility on Dollars and FTE may be Constrained by Present Budget	

PRE-REMEDIAL PLANNING AND REPORTING REQUIREMENTS

Preliminary Assessments/Screening Site Inspections

Regions can only be given credit for Preliminary Assessment (PA) and Screening Site Inspection (SSI) completions if the completion date and a decision on further activities at the site are entered into the appropriate CERCLIS site record.

There are three decisions on further activities that must be made at the completion of the PA:

- High priority for an SI;
- Medium priority for an SI; and
- No further remedial action planned (NFRAP).

There are two decisions on future activities that must be made at the completion of the SSI:

- Recommendation for an LSI; and
- No further remedial action planned (NFRAP).

Listing Site Inspection

Listing Site Inspections (LSIs) are the field efforts to support proposals to the NPL using the revised HRS. LSIs are not RI/FS substitutes and, consequently, the expenditures must be efficient and focused. Two important goals are to limit technical hours for each LSI and to minimize subcontracting expenditures. LSIs to meet SCAP planning estimates must be identified on a site-specific basis.

REMOVAL PLANNING AND REPORTING REQUIREMENTS

The nature of removal activities is to respond to emergency, time critical and non-time critical situations at NPL and non-NPL sites. Planning for removal actions in FY90 will be more difficult than ever before. On the one hand, SARA provides broader removal authority and imposes new requirements; on the other hand, removal funding did not increase above the FY89 level.

Each region should recognize that it probably does not have sufficient funds to address all actual or threatened releases that meet the removal criteria in the National Contingency Plan (NCP). Responsible management means having to make some tough decisions. Regions may have to defer funding time critical actions in order to maintain a sufficient contingency for classic emergencies. Additionally, regions have to depend more upon state and local authorities to address the real, but smaller threats that regions now occasionally handle.

The increased use of enforcement authorities becomes essential as the funds for removal actions are reduced. PRP searches should be initiated as soon as a candidate site has been identified. Oral notice, followed by written notice, should be given to PRPs in emergency situations. For time critical situations, written notice should be given to identified PRPs, negotiations should be conducted and administrative orders issued to the extent possible where there are viable parties and the work can be properly scoped and implemented. PRP searches may continue after the removal has started to further identify

PRPs for take-over of actions or cost recovery. Non-time critical removals with viable PRPs are prime candidates for PRP actions.

Since so much of the removal work cannot be anticipated, regions are only required to do site-specific planning one quarter in advance. Each quarter, a plan for the upcoming quarter is prepared. A region begins this planning period by identifying sites in CERCLIS which are candidates for removal work in the upcoming quarter, designating the expected lead and identifying the funding each action will require. Oversight dollars for PRP removals will be provided through the Case Budget. In order for funds to be available for classic emergencies or for sites that cannot be identified during the planning process, a removal contingency amount is placed in the non-site/incident activity section of the CERHELP data base by the region.

Conducting removal investigations at unaddressed NPL sites is a high priority in FY90. A new event (RS) has been added to CERLCIS to report completed removal investigations at NPL sites. There is no planning requirement; actual completions should be reported as they occur.

The process for determining quarterly Advices of Allowance for the removal program is described in Chapter VI.

REMEDIAL PLANNING REQUIREMENTS

Site Classification

As a result of the recommendations of the 90 day study, regions will no longer be required to enter or maintain the site classification.

- NV - Search complete, no viable PRPs, orphan site;
- VC - Viable PRP; cannot do work; and
- VP - Search complete, viable PRPs.

Regions will be required to enter into CERCLIS outcome codes upon completion of an NPL or non-NPL PRP search. See the Enforcement Planning Requirements section of this Chapter for additional information.

Project/Event Lead Codes

Project/event lead codes identify the entity performing the work at the site. Exhibit V-2, on page V-8, shows the valid project/event lead codes. Beginning in FY90, RI/FS and RD projects can no longer be identified as SE lead.

A lead code must be placed in CERCLIS for all response events and enforcement activities. The lead code for a project support activity is the same as the lead code for the activity being supported. For example, management assistance funds to a state in support of a PRP RI/FS should be coded as RP lead. All enforcement actions (i.e., orders, decrees, PRP searches, etc.) performed by EPA and all RODs resulting from PRP RI/FS projects should have a lead of "FE". All enforcement actions conducted by the state should have a lead of "SE". RODs at Federal Facilities have a lead code of "FF". CERCLIS should not contain planned obligations for projects with "SR" or "SN" leads.

The Agency acknowledges that states can and have assumed the lead role in reaching an agreement with the PRPs for response activities at NPL sites without negotiating a cooperative agreement or other formal agreement with EPA (SR lead). However, the NCP has determined that in the absence of a formal agreement the state will not be officially recognized as the "lead agency" for the project and EPA will not concur on the remedy selected.

EXHIBIT V-2

PROJECT/EVENT LEAD CODES IN CERCLIS IN FY90

Lead	Definition
F	Federally financed work performed by Fund/EPA with no enforcement component (applies to response events)
RP	Potentially Responsible Party financed work performed by the PRP under a federal order (applies to response events)
S	Federally financed work by a State with no enforcement component - Money provided through a cooperative agreement (applies to response events)
PS	Potentially Responsible Party financed work performed by PRP under a state order with oversight paid for or conducted by EPA through a cooperative agreement or, if oversight is not funded by EPA, a State Memorandum of Agreement or other formal document between EPA and the state (applies to response events)
SN	State financed (no Fund dollars) work performed by the state (applies to response events)
SR	Potentially Responsible Party response under a state order and no EPA oversight support or money provided through a cooperative agreement and no other formal agreement exists between EPA and the state (applies to response events)
CG	Work performed by the Coast Guard - Limited to removals (applies to response events)
MR	Preauthorization Mixed Funding (Fund/Responsible Party) work performed by PRP under a federal decree with an agreement that the fund will provide reimbursement to the PRP (applies to response events)
SE	Federally financed work performed by a State with a state enforcement component - Money provided through a cooperative agreement or other comparable enforcement document (No longer applies to RI/FS and RD. Beginning in FY90 only applies to enforcement activities and ROD events.)
FE	Federally financed work perfomed by Fund/EPA with an enforcement component or work done by enforcement program (No longer applies to RI/FS and RD. Beginning in FY89 only applies to enforcement activities and ROD events.)
EP	Work performed by EPA using in-house resources (only applies to response events)
FF	Work performed by the Federal Facility with oversight provided by EPA and/or the State

Takeovers

A takeover means a change in entity performing an event. Typically, this occurs where a PRP settlement has been concluded after the event has been started. It may also occur where the fund assumes a PRP-lead project because of non-compliance.

For each remedial or removal event takeover, a new CERCLIS record must be created and the first and subsequent start (FSS) and complete (FSC) codes (C2115 and C2116) revised. A takeover does not create a new OU. The original CERCLIS event must be updated to show the completion date as the date of the takeover. The start date for the new CERCLIS event is also the date of the takeover.

The CERCLIS Event Takeover Flag (C2114) is manually maintained. A "T" is used in this field to flag the original event which has the change in lead. The new event has an event code followed by a sequence number to indicate the original event that was taken over.

When the takeover of a response event occurs and work has not proceeded past the workplan stage, credit will be given to the program taking over the lead for both a start and completion. For example, assume a settlement is reached for a PRP to conduct a RI/FS for which a fund has already obligated funds but no work has been approved. The PRPs, in picking up the project at this stage, will get a RI/FS start. Had the work plan been approved, the fund would have received RI/FS start credit. In order to assure credit is given to the proper program, the FSS and FSC codes should be placed with the event which was taken over. (See Exhibit V-3 for an example of the takeover coding.) However, if a takeover occurs after the workplan stage then the new lead will only receive credit for a completion; the previous lead retains credit for the start. Exhibit V-4 shows the proper placement of the FSS and FSC codes under these circumstances. Basically the FSS code stays with the original event record and the FSC code is placed with the new record.

EXHIBIT V-3

EVENT OR ACTIVITY TAKEOVER AT WORKPLAN STAGE

OU	EVENT	LEAD	TAKEOVER FLAG	PLAN START	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENTS
01	CO1	F	T	88/4	7/29/88	89/1	11/30/88			SITE WIDE
01	CO2	RP	CO1	89/1	11/30/88	91/1		A	A	SITE WIDE

EXHIBIT V-4

EVENT OR ACTIVITY TAKEOVER

OU	EVENT	LEAD	TAKEOVER FLAG	PLAN START	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENTS
01	CO1	F	T	88/1	11/15/87	89/3	4/30/89	A		SITE WIDE
01	CO2	RP	CO1	89/3	4/30/89	90/2			A	SITE WIDE

If a PRP takes over RI/FS after program dollars have been obligated, unspent funds should be immediately deobligated. After these funds are replaced in the region's Advice of Allowance, they may be used by the region for other RI/FS activities or in accordance with the flexible funding priorities outlined in Chapter VI. If the region does not have sufficient Case Budget funds to oversee the PRP RI/FS, it may request a change in the Advice of Allowance to move funds from the program to enforcement. However, only the funds needed to provide oversight during the current fiscal year should be requested. Additional funds for RI/FS activities in subsequent fiscal years may be requested from the Case Budget. If the PRPs take over the RD or RA after program funds have been obligated, the region can retain the funds needed to provide oversight of the PRP RD or RA activities since they are in the same program element. The remainder should be deobligated. Once again, after these funds are replaced in the region's AOA they may be used for other RD activities or in accordance with the flexible funding priorities. Funds to support PRP negotiations, including the development of workplans, should be funded by the Case Budget.

When PRP RI/FS requires significant revisions to the Feasability Study or Field work prior to signing the ROD, the event should be coded as a Fund takeover before dollars are obligated.

If the Fund originally obligated dollars for RD and/or RA activities and a takeover occurs, regions will have to request a change in account number through their regional Financial Management Officer (FMO). The activity code within the account number changes if the Agency is acting in an oversight role as opposed to performing the response action.

When there is a takeover of a removal action, credit is given to the program with the original start and the completion is credited to the program assuming the work.

Impact on Funding Status of PRP Takeover

During the development of outyear budget planning information, regions should pay particular attention to the probability of a PRP takeover or the potential for a mixed funding response. Historically, twenty to twenty five percent of each region's Federal or state lead RI/FS result in PRP lead RDs and RAs. Regions should examine the sites scheduled for RD and/or RA in FY91 and FY92, ascertain PRP viability and the strength of their enforcement case, there relative environmental priority, and determine the likelihood of a PRP takeover.

No Action RODs

The NA (No Action ROD) event should not be used begining in FY90. All completed RI/FS should have an RO (ROD) event entered. No action remedies should be shown through use of the remedial technology code (C3401 = RT and C3402 = NA).

Operable Units in Remedial and Enforcement Programs

One of the driving mechanisms for Superfund's budgeting and planning process is the Operable Unit (OU) concept. Confusion over the definition of OU has led to conflicting planning and tracking methodologies among regions. Outlined below is a standard methodology for tracking OUs on an event-specific level that must be followed by all regions.

The NCP defines an OU as "discrete actions that comprise incremental steps toward the final remedy." This means that any specific area or response may be considered an OU. Exhibit V-5 provides the ground rules for OUs and Exhibit V-6 provides examples of operable units for the different remedial phases.

The OU field in CERCLIS does not reflect the definitions or ground rules for operable units. In CERCLIS, an operable unit is defined by the combination of operable unit number, event sequence number, and the first and subsequent start and completion codes. Past the ROD stage the OU number field in CERCLIS is used to tie the RD and RA back to a particular ROD. For example, if you have only one ROD, no matter how many separate plans and specifications or separate bid packages are developed, the OU number in CERCLIS will remain "01". In this situation, the sequence number and first and subsequent start and completion codes would be used to delineate that, by definition, there is more than one operable unit.

Many enforcement activities are conducted on an OU basis, e.g., negotiations and Orders on Consent Decrees. A CERCLIS change request is under regional review which will allow OU coding of these activities. The OU number, event and event sequence number must be identified in CERCLIS in the remedy section of the enforcement activity.

There are several OU structures, as shown in Exhibit V-7 including:

- one occurrence of each event;
- multiple events (RDs, RAs) from a single ROD;
- multiple events from multiple RODs.

If a site has multiple like-events (e.g., RDs) within a single operable unit, CERCLIS automatically generates a sequence number for each event. The sequence number is dependant on the order the event is entered into the system. If a single operable unit has multiple RDs and RAs, the only way to tie an RD with its corresponding RA is through the system-generated sequence number. Therefore, regions must be certain that the planning information for the RD and its RA are entered into CERCLIS at the same time.

EXHIBIT V-5

OPERABLE UNIT GROUNDRULES

- Each OU at the RI/FS stage must result in a ROD; subsequent RODs must address an aspect of the remedy not developed in the initial ROD.
- Each OU at the RD stage must result in separate plans and specifications.
- Each OU at the RA stage must be based on a separate bid package.
- Potentially Responsible Party, state or EPA takeovers do not result in separate OUs.

EXHIBIT V-6

EXAMPLES OF OPERABLE UNITS

- RI/FS
  - Source Control
  - Groundwater Cleanup
  - Permanent Relocation
- RD and RA
  - Pump and Treat System
  - Pilot Testing
  - Incineration
  - Cap
  - Waterline Installation
  - Soil Removal

EXHIBIT V-7

OPERABLE UNITS AND FIRST AND SUBSEQUENT START AND COMPLETIONS CODING

ONE OCCURRENCE OF EACH EVENT/ACTIVITY

OU	EVENT	PLAN START	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENT
01	FN1	87/3	5/25/87	88/1	10/20/87			
01	CO1	88/1	11/15/87	89/4		A	A	SITE WIDE
01	RO1			89/4			A	SITE WIDE
01	AN1	89/4		90/2				
01	RD1	90/2		91/2		A	A	SITE WIDE
01	RA1	91/2		93/2		A	A	SITE WIDE

MULTIPLE EVENTS/ACTIVITIES FROM A SINGLE ROD

OU	EVENT	PLAN START	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENT
01	FN1	87/3	5/25/87	88/1	10/20/87			
01	CO1	88/1	11/15/87	89/4		A	A	SITE WIDE
01	RO1			89/4			A	SITE WIDE
01	AN1	89/4		90/2				
01	RD1	90/2		91/2		B	B	SOURCE
01	RA1	91/2		93/2		B	B	SOURCE
01	AN2	90/4		91/2				
01	RD2	91/2		92/2		D	D	GROUNDWATER
01	RA2	91/3		93/4		D	D	GROUNDWATER

MULTIPLE EVENTS/ACTIVITIES WITH MULTIPLE RODS

OU	EVENT	PLAN START	ACTUAL START	PLAN COMP.	ACTUAL COMP.	FSS	FSC	COMMENT
01	FN1	87/3	5/25/87	88/1	10/20/87			
01	RI1	88/1	11/15/87	89/1	12/23/88	B		WATERLINE
01	FS1	89/1	12/23/88	90/1			C	WATERLINE
01	FS2	89/2	1/5/89	90/2			D	WATERLINE
01	RO1			90/2			D	WATERLINE
01	AN1	90/2		90/4				WATERLINE
01	RD1	90/4		91/2		C	B	WATERLINE A
01	RD2	91/2		92/1		D	C	WATERLINE B
01	RA1	91/2		93/4		B	C	WATERLINE A
01	RA2	92/1		92/3		C	B	WATERLINE B
02	FN2	87/4	9/25/87	88/2	3/22/88			
02	CO1	88/2	2/5/88	90/1		D	B	GROUNDWATER
02	RO1			90/1			B	GROUNDWATER
02	AN1	90/1		90/3				GROUNDWATER
02	RD1	90/3		91/3		B	C	GROUNDWATER A
02	RD2	90/4		93/3		C	D	GROUNDWATER B
02	RA1	91/3		94/1		C	C	GROUNDWATER A
02	RA2	93/3		94/4		D	D	GROUNDWATER B

First and Subsequent Starts and Completions

Start and completion codes (C2115 and C2116, respectively) are used to identify and characterize the sequencing of events and operable units. They are not used for enforcement activities. If an event does not have actual dates, the start and completion codes are determined by the planned dates. One of the codes shown in Exhibit V-8 must be assigned to each remedial event as it is entered into CERCLIS.

EXHIBIT V-8

FIRST AND SUBSEQUENT START AND COMPLETIONS

A = First and only event at a site

B = First of two or more events

C = Subsequent, but not final event

D = Final of two or more events.

The first and subsequent start (FSS) and first and subsequent complete (FSC) codes are based on event start and completion dates, not the system generated sequence number. Thus the first start of an event at a site is coded "A". If a second like event is started, the "A" code for the first event start must be changed to a "B" and the second like event is assigned a "D" code. If a third like event is started, the first event remains a "B", the second event must be changed from a "D" to "C" and the third event is assigned a "D" code. Event completions use the same methodology. If there is one occurrence of each event, all FSS and FSC codes are "A".

Exhibit V-7 illustrates the use of the first and subsequent start and completion codes. Since the FSS and FSC codes are manually maintained, it is necessary to update these codes each time an event is added. Exhibit V-9 indicates combinations of FSS/FSC codes that are inconsistent with the coding procedures.

EXHIBIT V-9

IMPOSSIBLE FSS AND FSC CODE COMBINATIONS

- More than one A, B, or D
- An A and B
- An A and D
- An A and C
- C without a D and B
- B and C without a D
- C and D without a B

To Be Determined (TBD) Sites

Under certain circumstances, regions may not be able to identify all the sites necessary to meet SCAP targets. This may occur for the following activities:

- First RI/FS starts;
- Administrative Cost Recovery;
- Small Case Cost Recovery;
- Section 106 RD/RA referrals without settlement; and
- Unilateral Administrative Orders (UAOs) for RD/RA

In such cases, regions may enter planning data into TBD site records. CERCLIS provides the capability, through the use of a pseudo-EPA identification number, to set up temporary site records as TBDs until the actual site is identified. Following are procedures for handling SCAP TBD sites and associated planning data in CERCLIS.

The key data field for all CERCLIS site and related records is the EPA Identification Number. This number is twelve characters in length with the first two characters identifying the state in which the site is located. The third position identifies it as a permanent or temporary Dun & Bradstreet number, and the remaining nine digits are unique to a site within the state. The method of handling TBD sites in CERCLIS must be consistent with guidance for assigning EPA Identification Numbers to valid Superfund sites.

The procedure for assigning pseudo numbers is as follows. Each SCAP TBD site to be entered into CERCLIS will be assigned a unique 12-character EPA Identification Number which is constructed from regionally assigned state codes and numbers. The pseudo state codes shown in Exhibit V-10 for each region would be used in the first two positions of the pseudo ID.

EXHIBIT V-10

PSEUDO STATE CODES

Region	Pseudo State Code
1	ZA
2	ZB
3	ZC
4	ZD
5	ZE
6	ZF
7	ZG
8	ZH
9	ZJ
10	ZK

The third position of the code will always be "T" which further identifies the site as being a "TBD" site. The remaining nine digits will be selected from the 1000 numbers purchased from Dun & Bradstreet by HQ and allocated to each region.

An example of the use of the code is as follows. Region I has three TBD sites for RI/FS starts to be entered into CERCLIS. EPA Identification Numbers to be used for the three sites are as follows:

TBD site #1	--	ZAT982565053
TBD site #2	--	ZAT982565061
TBD site #3	--	ZAT982565079

At the time a real site is determined for TBD site #1, the site and associated data for EPA Identification Number ZAT982565053 are deleted from the CERCLIS data base. Subsequently, the appropriate planning data are added to the real site in the CERCLIS data base. The pseudo number, ZAT982565053, is then recycled for future use.

Regions may not use TBDs in planning subsequent RI/FS starts. When multiple OUs at a site are involved, regions should schedule the subsequent starts and associated core activities when planning the first RI/FS start at the site to the maximum extent possible. Subsequent starts should be scheduled even if they are not planned to begin in FY90. Even though TBDs are being used for target setting purposes, regions must have real sites in CERCLIS which can be substituted at a later date for the pseudo sites.

Standard Timeframes

When identifying sites for RI/FS starts, regions must provide schedules for all associated remedial and enforcement core activities, including date of RA contract award and Section 106 and/or Section 107 referrals to HQ for removal and remedial activities. Exhibit V-11 is a list of some of the core activities and their respective standard durations. **Standard durations should only be used if more accurate estimates are not available. When better planning data and schedules are developed CERCLIS must be revised to reflect these schedules.** Following are special guidelines that should be considered when establishing schedules for certain core activities:

- RD/RA negotiations begin when the first special notice for RD/RA is issued, when a waiver of special notice for RD/RA is issued or when the first general notice letter for RD/RA with expected completion dates is issued. HQ strongly encourages beginning RD/RA negotiations when the draft FS and proposed plan are released to the public, especially in cases where the PRPs conducted the RI/FS or the proposed remedy is non-controversial. At the very latest, special/general notice should be issued when the ROD is signed. The maximum duration of RD/RA negotiations is two quarters post ROD. If no good faith offer is received, regions should proceed with a unilateral Administrative Order (where applicable) or Fund-financed RD. Use the following guidelines when scheduling RD/RA negotiations:

    - PRPs conducted RI/FS or strong likelihood of PRP takeover-- 2 quarters post ROD. The referral to DOJ or HQ or a Fund-financed RD should be planned in the same quarter as completions of the negotiations.

  - -- Fund RI/FS, some viable PRPs, some likelihood of PRP takeover-- 2 quarters post ROD. The referral to DOJ or HQ or a Fund-financed RD should be planned in the same quarter as completions of the negotiations.
  - -- Fund RI/FS, few PRPs, little possibility of PRP takeover-- 1 quarter post ROD. A Fund-financed RD would be scheduled to begin the same quarter negotiations are planned to be complete.
  - -- Orphan site -- O quarters. A Fund-financed RD would be scheduled to begin the quarter after the ROD is signed.

- The date of contract award for a Fund-financed RA is assumed to be two quarters after the start of the RA.
- Federal Facility IAG negotiations, pursuant to notice letters, are on a 90-day time frame, with a one-time ability to extend to 120 days. Schedules for these three-party negotiations are to be established at least two weeks prior to the quarter that the IAG settlement is targeted.

Identifying core activities and providing planned obligation estimates are important due to the impacts these projects, especially RAs, have on outyear budgets for the program areas. The cost of RA projects makes it imperative that scheduled start dates and planned obligations are known well in advance of the beginning of the fiscal year. In essence, dollars associated with RA project starts are locked in during budget formulation eighteen months prior to the beginning of the fiscal year. As a result, as better information becomes available on project costs, dollar estimates, and project schedules, the core activity plans should be updated and kept current in CERCLIS.

Planning for Mega Sites

FY90 regional requests in CERCLIS for RI/FS starts should be limited to an average of $750K per project and all ongoing RI/FS should be fully funded. The $750K limit and full funding requirement do not pertain to mega sites (sites with total RI/FS projects in excess of or expected to exceed $3 million) For mega-sites a new requirement for FY90 is the submission of a mega-site management plan characterizing site problems and management options. Mega-site management plans require joint development by response and enforcement personnel including Office of Regional Council (ORC). The purpose of the plan is to document the region's approach for managing the site, to identify coordination options, and to project total resource requirements for the site. Mega-site management plans are to be completed by June 1989 and June 1990, so issues can be resolved prior to the development of the operating plan for FY90 and FY91, respectively. Examples of mega-site management plans for large sites can be obtained from Region I (New Bedford site) and Region VIII (Clark Fork site). Technical assistance can be obtained from HSCD.

Treatability Study Planning

The performance of treatability studies during the RI/FS is a priority for the remedial program. Separate identification of this work allows the program to determine and explain the impact of treatability studies on RI/FS and RD costs and schedules. Since funds for treatability studies are not included in the $750,000 per operable unit and $1,100,000 per site RI/FS cost, it is necessary to establish treatability studies as a separate event code ("TS") in CERCLIS beginning in FY90. Funds should be planned site-specifically and, since regions will receive resources through the workload model for treatability studies, planned start and completion dates are required. Regions should also record actual start and completion dates in CERCLIS.

EXHIBIT V-11

STANDARD TIMEFRAMES

ACTIVITY	DURATIONS (In Quarters)
Non-NPL PRP Searches	1-2
NPL PRP Searches	3
RI/FS Negotiations	2
Federal Facility Negotiations	1-2
Fund RI/FS	8
(FS to Public)	(7)
(ROD)	(1)
PRP RI/FS	10
(FS to Public)	(9)
(ROD)	(1)
RD/RA Negotiations (post ROD)	2 (maximum)
Case Development (ends in referral)	1
Sec. 106 or 106/107 Settlement Referrals for Concurrence (time at DOJ)	1
Sec. 106 or 106/107 RD/RA Referrals without Settlement or Cost Recovery Referrals (ongoing cases referred to DOJ until conclusion)	14
RD or FF/PRP RD Oversight	4
RA or FF/PRP RA Oversight	6
Removal Negotiations	1
Removals	1-2

Alternate Remedial Contracts Strategy (ARCS) Coding

The ARCS was developed in response to the need for additional competition and the desire for more contractors in the remedial contracting program. The strategy builds on the concept of rewarding good performance on the part of the contractors by assigning more work to good performers.

Each region or group of regions has a set of contractors to which remedial planning, design and construction management work may be assigned. Each contract will have a small base quantity of work and many options for additional work. With ARCS, regions will have complete responsibility for contract management.

It is essential to the integrity of the ARCS concept that the work be distributed evenly to all contractors during start up. This will ensure a sound basis for evaluation and decisions regarding future assignment of work. It is also important for regions to establish systems for monitoring, analyzing and projecting program management costs which will become part of the SCAP negotiations.

In order to convey contract information to HQ, the five character Financial Vehicle data element in CERCLIS (C3239) will be used to identify the type of contract and the name of the ARCS contractor. If an entity other than the ARCS contractor will perform the work, the first three positions of the five character Financial Vehicle element is used to identify the type of contract and the last two characters should be 00. For example, if the contract is assigned to the U.S. Army Corps of Engineers, the Financial Vehicle entered should be "COEOO" (BUROO for Bureau of Reclamation projects). If the contract is assigned to ARCS, the first three characters of the Financial Vehicle data element should be "ARC." The fourth and fifth characters identify the particular ARCS contractor. Exhibit V-12, on the following page, contains the codes to be placed in characters four and five based on the regions and existing ARCS contractors. As new contractors are awarded contracts, the region should contact HQ and a new code will be reserved for that contractor. The contractor information should be placed in CERCLIS when inputting the planned obligation data for FY90 and beyond. HQ will work with the regions to develop a schedule for revising the historical ARCS financial information. Funds needed for ARCS program management should be placed in the CERHELP data base by contractor.

If regions are planning to use ARCS contractors and pay for them through the Core Budget, the same codes should be used.

Remedial Action Information

As the Agency approaches reauthorization in an era of reduced RA budgets, there is a need for additional information to (1) support and justify the response RA budget; (2) provide RA cost tracking information; and (3) provide for characterization of the RA projects and their associated costs. The information to be placed in CERCLIS includes:

- RA cost estimate (capital cost) at the ROD stage. This information must be entered into CERCLIS when the ROD for both Fund and PRP financed activities is signed.

- RA cost estimate at the completion of the RD phase. This information is required for Fund-financed RAs only and must be entered into CERCLIS when the RD is complete.

- Current year Fund-financed RA planned obligation.

- Contract award amount. This information must be entered into CERCLIS when the contract is awarded for a Fund-financed RA.

- Type of RA. This information must be entered into the Technology Information Qualifier (C3402) against the ROD event when the ROD is signed and against the RA event when requesting RA funds or recording a PRP PA start. Exhibit V-13, on the following page, contains the RA type codes.

EXHIBIT V-12

ARCS CONTRACTOR CODES

REGION	CONTRACTOR	CODE
REGION I	ARTHUR D. LITTLE	01
	TRC ENVIRONMENTAL	02
	METCALF & EDDY	03
	NUS CORPORATION	04
	ROY F. WESTON	05
	EBASCO	06
	CDM	07
REGION II	TAMS CONSULTANTS	01
	MALCOLM-PIRNIE	02
	ROY F. WESTON	03
	EBASCO	04
	CDM	05
	ICF	06
REGION III	TETRA-TECH	01
	NUS CORPORATION	02
	ECOLOGY & ENVIRONMENT	03
	CH2M HILL	04
	BLACK & VEATCH	05
REGION IV	ROY F. WESTON	01
	EBASCO	02
	CDM	03
	CH2M HILL	04
	BLACK & VEATCH	05
	BECHTEL	06
REGION V	WW ENGINEERING	01
	PRC ENVIRONMENTAL	02
	DONOHUE & ASSOCIATES	03
	ROY F. WESTON	04
	ECOLOGY & ENVIRONMENT	05
	CH2M HILL	06
	BLACK & VEATCH	07
REGIONS VI, VII AND VII	MORRISON-KNUDSON	01
	JACOBS ENGINEERING	02
	SVERDRUP	03
	FLUOR DANIEL	04
	URS CORPORATION	05
	ROY F. WESTON	06
	CDM	07
	CH2M HILL	08
REGIONS IX AND X	URS CORPORATION	01
	ROY F. WESTON	02
	ICF	03
	ECOLOGY & ENVIRONMENT	04
	CH2M HILL	05
	BECHTEL	06

- Planned and actual RD completion date (mm/dd/yy) for Fund and PRP financed RDs (subevent completion);
- Planned and actual RA contract award date (mm/dd/yy); and
- RA on-site construction actual start (subevent start required for cost recovery).

Regions will not receive funds for a RA in their Advice of Allowance unless the RA remedy type is in CERCLIS. Regions will not receive credit for a PRP RA start unless the remedy type is in CERCLIS.

The necessary financial information **must** be entered into CERCLIS with a financial type (C3202) of "E" against the ROD, RD, RA and RA contract award events.

Since information on planned RA funding needs is constantly being reviewed, it is **essential** that the planned obligation for RA placed in CERCLIS when projecting the outyear budget be updated when better information is available (i.e., ROD is signed or RD is completed). The specific dates (mm/dd/yy) for RD completion and RA contract award should be added when initial targets are set in February with monthly updates until the actual dates occur.

It is recognized that most RODs contain multiple remedies. Regions should select all the categories from Exhibit V-13 that are described in the ROD. No-action ROD should be identified by entering "NA" in the Technology Information Qualifier with the "ROD event.

Project Support Activities

Planning requirements for project support activities (community relations, technical assistance, state management assistance, etc.) has been changed for FY90. Regions will no longer be required to plan or report the start or completion of these activities. Because of workload model impacts, this change does not apply to treatability studies operation and maintenance (O&M) or long term response (LTR). During the development of the budget, funding needs can be planned site-specifically or non-site specifically by event type in CERHELP. During the operating year, activities needing funds in the upcoming quarter must either be planned site-specifically in CERCLIS prior to generation of the CERCLIS AOA report or a quarterly breakout (by activity) of the annual funding need must be provided in CERHELP.

If the regional project support budget is established non-site specifically then, regardless of whether the quarterly planning is site or non-site specific, the total annual project support budget must be reduced by the quarterly funding needs prior to HQ placement of the Advice of Allowance in CERHELP. If a region plans project support activities non-site specifically, the planned funding amount in CERHELP must be reduced as the site-specific funding documents are processed (See Chapter VI on handling financial data in CERCLIS). Failure to make these adjustments could cause the region to exceed its annual budget and result in approval of their AOA being withheld.

Regions should also plan the conduct of aerial surveys by the Environmental Management System Laboratories (EMSL) in CERCLIS. Funds for EMSL can be obligated through a procurement request or through the change request procedures. The transferring of funds to EMSL follows the normal change request procedures. The change request would keep the funds under TFAY9A and show the Allowance Holder as 60. The purpose should be shown as Aerial Surveillance. Regions must be sure to change the budget source in CERCLIS to a HQ account after the change request is processed. (See Chapter VI for additional information on budget source codes and change request procedures.) If a change request is used, regions should follow up with a letter to EMSL detailing the site names and/or specific instructions.

The lead code for project support activities must match the lead code for the project/event being supported. For example, the lead for community relations at an RP lead RI/FS should be RP.

EXHIBIT V-13
REMEDIAL ACTION REMEDY TYPE CODES

Code	Definition	Technology
RI	Incineration/Thermal Destruction	Onsite Offsite
SO	Solidification/Stabilization	Fixation Neutralization
VX	Vacuum Extraction	Soil Vapor Extraction
VS	Volatilization/Soil Aeration	Aeration Flaring
WF	Soil Washing/Flushing	Metals Precipitation Ion Exchange
BO	Biodegradation/Land Application	In Situ Biodegradation Biodentrification Activated Sludge
OT	Other Treatment Technologies	Decontamination Dewatering Offsite RCRA Treatment and Recycling InSitu Flaming Dechlorinization (APEG/KPEG)
ON	Onsite Containment	Soil Cover Asphalt Cap RCRA Cap Levees Slurry Wall Onsite RCRA Landfill (Above/Below Grade) Deep Well Injection Excavation Sediment Excavation and Dredging Pumping Contained Wastes Debris Removal Groundwater Extraction/Injection (Hydraulic Containment) Active Landfill Gas Collection
RO	Offsite Containment	Soil Excavation Sediment Excavation and Dredging Pumping Contained Wastes Debris Removal Groundwater Extraction/Injection (Hydraulic Containment) Active Landfill Gas Collection Offsite RCRA Landfill Offsite Solid Waste Landfill

EXHIBIT V-13

REMEDIAL ACTION REMEDY TYPE CODES (Cont.)

Code	Definition	Technology
OS	Other Source Control Remedies	Onsite/Offsite Residual
PT	Pump and Treatment	Air Stripping Carbon Absorption Electrochemical Reduction Extraction Filtration Ion Exchange Oil/Water Separator Precipitation Wellhead Treatment Activated Carbon Units - Residential Publicly Owned Treatment Works (POTW) Coagulation Flocculation Activated Sludge
RH	Alternate Water Supply	Municipal Distribution System
OH	Other	Monitoring Plume Management Natural Atenuation Subsurface Water Diversion/Collection Slope Stabilization Demolition Relocation Institutional Controls
LT	Leachate Collection/Treatment	
NA	No Action	
TS	Temporary Storage	Onsite Offsite

Technical Assistance Grants

The region should budget technical assistance grant (TAG) funds at Fund or PRP sites based on their knowledge of which communities may request such grants. Since many communities may not be eligible or may decline to apply for various reasons, the region should not assume that every NPL site will require a TAG. Funding for all TAGs, including TAGs at Federal Facilities, is in the response budget. Regions should negotiate reimbursement of TAG costs at the Federal Facility during FFA/IAG discussions. The regions are to administer the TAGs at Federal Facilities.

ENFORCEMENT PLANNING REQUIREMENTS

Mixed Funding Settlements

The term "mixed funding" is used generically to refer to three types of settlements:

- pre-authorization ("MR" lead);
- mixed work (two or more operable units or phases, "RP" and "F" or "S"lead); and
- cashouts ("F" or "S" lead).

Pre-authorization occurs where PRPs reach a settlement with EPA whereby they agree to perform a share of the response, and the Agency agrees to reimburse some part of their expenses. These are coded in CERCLIS as "MR" lead events. Mixed work occurs where PRPs and EPA agree to jointly work on a project or where work may be divided between the parties. No reimbursement to the PRPs occurs. Mixed work should be shown as separate operable units or phases in CERCLIS. Operable units or phases where the PRP are performing the work should have "RP" lead events. The lead for events at the operable units or phases where Fund-financed activities are being performed should be "F" or "S". Cashouts occur where PRPs agree to pay some share of the site response cost, past or future, and do not perform any work themselves. This is typically done by PRPs to "buy-out" their liability at the site. Events at sites with cashout settlements should be coded in CERCLIS as "F" or "S". Cashouts also occasionally require the establishment of a special account because the PRPs have agreed only to pay for work at a particular site. Regions are encouraged to use mixed funding settlements where possible.

For FY90, HQ will be shifting the obligation authorities for pre-authorization to the regions. Funds needed for these agreements are part of the region's RA budget. Projects should be given an "MR" lead. Funds needed for PRP oversight should reflect the appropriate contractor/agency (COE/BUREC) carrying out the oversight in the financial vehicle field in CERCLS. EPA's cost share should be identified by entering "PRPOO" in the financial vehicle field.

PRP Removal

For non-NPL sites, PRP searches should be initiated as soon as a removal candidate has been identified. The preliminary PRP search should be completed, with additional research occurring, before most time critical and non-time critical removals are initiated. This allows for timely negotiations for Administrative Orders (AO) to occur before the start of the removal. PRP searches also support possible cost recovery actions. Regions are required to report both planned and actual PRP search start and completion dates, outcome of the PRP search,PRP lead removal start and completion dates, remedy code, value of removal, AO completion data, and completion status in CERCLIS.

Notice letters to owners, operators and other identified PRPs should be given and negotiations conducted before the removal is initiated in every instance unless time does not allow. Oral notice, followed by written notice, should be given in emergency situations. For certain non-time critical removals which represent major response efforts, the special notice procedures of Section 122(e) should be employed. Where special notice is not employed, written notice under Section 122(a) must be given.

Regions should operate on the assumption that, time permitting, where viable PRPs have been identified, they will issue administrative orders, unilateral or consent, at every removal action. Ordinarily, where time allows, a consent order is sent to PRPs before a unilateral order is issued. Factors which may justify fund financing without an order include technical difficulty in defining the steps to be taken in an order, unique technical complexity, inappropriateness of allowing a particular PRP to do the work, and insofar as resources are constrained, very low cost of remedy. In some cases, a unilateral order can be converted to a consent order, but this should be done without delaying PRP response. Oversight costs should be taken into account in negotiations, particularly in large removals.

Once PRP lead removals have begun, EPA should have an active oversight role, including on-scene presence. Contractor assistance is available if needed. Where PRPs are not complying with the order, regions should be prepared to quickly move forward with Fund-financed response and later seek treble damages during cost recovery actions. Due to the time-critical nature of the removal program, regions should seek judicial action for preliminary relief to compel PRP response only in exceptional circumstances.

Where PRPs comply generally, but violate terms (deadlines, etc.) of the order, regions should be prepared to enforce the terms of the order via stipulated penalties, statutory penalties, or other sanctions. When unilateral AOs are issued and not complied with, treble damages should be sought during cost recovery (unless there was a viable reason for PRPs not to conduct the work). Regions should track the PRP's compliance status in CERCLIS. Regions must also develop administrative records to accompany their actions at removal sites. These records must be available at the local repository.

Pre-RI/FS Enforcement Activity

Regions are strongly urged to use an enforcement site management plan to ensure that proper funding/enforcement activities and management responsibilities are laid out for a site. An enforcement site management plan should be put together for a site shortly after proposal for the NPL. The plan should lay out important enforcement activities that are essential to happen at the site (proper PRP searches, issuance of RI/FS special notice, issuance of RD/RA special notice, RD/RA negotiations, development and finalization of Consent Decree, issuance of Unilateral Administrative Order). These enforcement activities should be integrated with Fund-financed or PRP response events at the site or operable unit. The plan can be used to ensure that funding is requested for the above mentioned activities and that the proper people in all affected offices (OWPE, OECM, ORC, DOJ, and region) have been brought into the process at the appropriate points.

For sites likely to be added to the NPL, PRP searches should start concurrently with the Listing Site Inspection (LSI) or at the latest initiation of the listing process.

The PRP search should be managed -- including follow up, civil investigator assistance, and Office of Regional Counsel review -- to assure that: (1) PRPs, particularly generators, are identified early, (2) general notice is issued well before RI/FS special notice to enable PRPs to organize, (3) information related to PRPs is obtained months before the RI/FS special notice, and (4) special notice is issued over 90 days before the planned RI/FS obligation date. Information requests should be issued at least two quarters before general notice and must be followed up to assure they are as comprehensive as possible. To the extent available, information required for special notice should be presented to PRPs before the actual special notice is issued. Regions are required to record dates associated with general notices, special notice letters, and information request letters in CERCLIS. Copies of notice letters should be sent to HQ.

PRP searches should be completed to the extent possible prior to negotiations and should be planned enough in advance to avoid delaying a scheduled RI/FS start date. Upon completion of the PRP search regions are required to record the outcome in CERCLIS. Valid outcome codes (C1719) are:

- Search complete, no viable PRPs, orphan site;
- Viable PRPs cannot do the work; and
- Search complete, viable PRPs.

Regions should be prepared to move quickly through the negotiation process. This can be accomplished through:

- Advance scoping of the RI/FS;
- Providing a draft order and statement of work for the RI/FS with the special notice; and
- Establishing interim milestones to judge whether real progress is being made. These should be shared with the negotiating parties.

The regions have the option of starting discussions with PRPs before, as well as during the initial 60-day moratorium period. In addition, costs for ongoing or completed response actions, such as removals should be documented in advance and included in RI/FS negotiations.

The PRPs who receive special notice have 60 days to submit a proposal to undertake or finance the RI/FS. During this 60 day period, EPA may not initiate the RI/FS. Additional studies or investigations authorized under Section 104 may be initiated and nothing precludes EPA's authority to undertake response or enforcement activity regarding a significant threat to public health or the environment. The regions may initiate a scope of work or a negotiations support document which should be funded by Case Budget. These activities are to be funded under RI/FS negotiations. The scope of work or negotiations support document should be provided to the PRPs when notice is given so they can prepare an adequate proposal.

RI/FS Settlement and Oversight

Settlements with PRPs for RI/FS are typically accomplished through an Administrative Order on Consent (AOC) or in rare circumstances by consent decree (CD) or Unilateral Order (UAO). AOCs are preferred. In any case, the settlement document should include either a work- plan prepared by EPA using Case Budget funds or a detailed Statement of Work with a workplan to be developed according to EPA guidance manuals. A well-defined schedule that lists deliverables and milestones should also be included.

EPA is required to use third party assistance in oversight of PRP lead RI/FS through Technical Enforcement Support (TES), ARCS, other Federal agencies (e.g.,Corps of Engineers) or states. Oversight resources are obtained through the Case Budget process.

At the time of settlement a detailed oversight plan should be developed which identifies in-house and extramural support needs. Oversight should include active field oversight as well as desktop review of engineering reports and other deliverables. Oversight must be tracked and billed to PRPs. In addition, regions must ensure compliance with the cleanup standards in Section 121 for ongoing and new PRP lead RI/FS. Remedial Project Managers (RPMs) must keep up with progress on PRP lead RI/FS as if it were an EPA contractor performing the work. Where delays or inadequacies are noted, prompt action, including enforcement actions, where appropriate, should be taken. Regions must maintain the PRP compliance status in CERCLIS.

Pre-RD/RA Enforcement Activity -- RD/RA Negotiations and Oversight

Prior to completion of the draft FS, regions should undertake considerable planning and review, including: (1) development of an enforcement strategy with activities, responsibilities and dates; (2) review of PRP search information for completeness; (3) consideration, where appropriate, of mixed funding and de minimis settlement options and discussions with PRPs before the special notice; (4) documentation of past costs (e.g., RI/FS) for inclusion in RD/RA negotiations; (5) preparation of a special notice letter and accompanying draft CD.

HQ strongly encourages special notice for RD/RA be planned and issued concurrent with the release of the FS to the public or at the latest, when the ROD is signed. PRPs will have 60 days in which to submit a settlement proposal after receiving notices. If a good faith proposal is submitted in that timeframe, another 60-day period follows for negotiations. If a good faith offer is not submitted, negotiations should be terminated. RD/RA negotiations should not last longer than two quarters post ROD or from the issuance of special notice or general notice letters with a schedule. The moratoriums set up by issuance of special notice should be honored. Negotiations should be completed and settlement reached within the timeframes or a unilateral order should be issued. Negotiations are completed when the Consent Decree or referral without settlement is sent to HQ or DOJ, a unilateral order is issued or the RD is funded. During the moratorium, EPA may not initiate remedial action. Additional studies authorized under Section 104, however, may be initiated during the negotiation period. Initiation of RD during the moratorium period will only occur in exceptional circumstances and must have advance concurrence from HQ.

In order to proceed through negotiations expeditiously, regions should prepare a draft CD early in the process, and establish interim milestones in the RD/RA negotiation process. Regions are urged to use unilateral orders when negotiations are protracted. In addition, where the negotiations do not produce agreement and there are viable PRPs, AOs should be considered to set up treble damages or as a step prior to referral. Every attempt should be made to complete negotiations within 120 days. However, in accordance with the streamlined settlement guidance, Regional Administrators may extend the negotiation period for up to 30 days. Further extensions require the approval of the OWPE Office Director.

All negotiated settlements for RD/RA, under SARA, must be in the form of CDs. Regions should consider including a provision in the Consent Decree allowing PRPs to begin the RD prior to lodging. Administrative Orders on Consent for RA are not permitted.

Oversight of PRP lead RD/RA is performed primarily through REM and ARCS, though some TES oversight capacity exists. Regions should seek payment of oversight costs in all such settlements, as well as past costs of RI/FS and other removal response costs. The status of the PRP's compliance with the AO or CD must be kept up-to-date in CERCLIS.

Section 106 Judicial and Administrative Activity

Referrals for Section 106 enforcement action for RD/RA without settlement are an integral part of the Superfund Enforcement program. At the end of negotiations, if the decision is made to proceed with a Fund-financed RD, monies will be available. However, given the number of RODs signed and RDs completed in the last two years and scheduled for FY90 even assuming a significant settlement rate, many sites will go without RA funding. The decisions made on which sites to fund and which to queue will be based on the environmental prioritization factors. If RA funds are not available, regions may want to reconsider issuing a unilateral AO or pursuing Section 106 litigation.

The administrative authority under Section 106 should be used at all sites that meet the criteria outlined in OWPE guidance, to bring PRP negotiations to a close or compel PRP response at the site. A unilateral order should be issued if a good faith offer is not submitted within the negotiation timeframes identified or a settlement is not reached at the end of the moratorium. Unilateral orders issued should include oversight costs.

For PRP lead RI/FS, regions should plan that, absent settlement or compliance with a unilateral administrative order, these sites will be candidates for referral as Section 106 judicial actions. In addition, on Program lead RI/FS, regions should expect that where there are viable PRPs, absent settlement , funding or compliance with a unilateral administrative order, these sites will be candidates for referral as Section 106 actions. Section 106 actions are expected to become easier, given review of remedial decisions on the record, and the general success in motions for summary judgment on liability.

CERCLIS needs to be updated monthly with dates of referrals or orders issued, remedy, compliance status, dollars sought (in case of a cost recovery referral), and value of remedy.

Cost Recovery

Cost recovery actions are one of the highest Enforcement program priorities in FY90. Consistent with the priorities matrix, 107 statute of limitation referrals are the highest priority, followed by non-statute of limitation RA and non-statute of limitation pre-RA (removal) referrals, respectively. For each site ready for cost recovery (each completed removal, completed RI/FS, and each RA on-site construction started), regions should have a completed PRP search and information about the viability of the PRPs; totals for funds obligated/expended; removal, RI/FS and RD completion dates and RA start dates; RA on-site construction; and statute of limitations dates. The regions should have strategies that include the following elements:

- Where there are viable PRPs, costs should be documented and a demand letter sent prior to or concurrent with cost recovery actions. The date the demand letter is issued should be recorded in CERCLIS;

- Referrals for all removals greater than $200K must be planned in order to be filed in court within one year of completion, if resources are available, but in no event later than three years, from the date of completion, unless there was a Section 104(c)(1)(C) waiver or there clearly will be physical initiation of on-site construction of the RA within three years. It generally takes three months from referrral to filing, but may take longer for complex sites;

- Referrals for RI/FS and RD should be planned to be filed within two years from completion unless there is physical on-site construction of the remedial action within three years;

- If an RA on-site construction is started within 3 years of a removal completion, RI/FS completion or RD completion, the statute of limitation date for that component is 6 years from the on-site construction date;

- Referrals for remedial activities should be planned within a year of the RA start, if resources are available. If a RI/FS referral was conducted separately or there are no unreimbursed past costs, a referral should be initiated when RA funds have been expended unless special circumstances exist (i.e., non-settlers);

- Where there is a partial settlement, an action against viable non-settlers should be pursued promptly (before the response begins) and treble damages should be pursued if a unilateral order was issued;

- Treble damages should be sought in the referral where Unilateral Orders are violated;

- Each region should issue demand letters and pursue administrative settlement for response activities less than $200K. EPA will refer some cases where the PRPs did not respond to the demand letter;

- Close Out memorandums should be initiated for all cases when a decision not to pursue some or all costs has been made. Prior to making this decision, particularly for large RAs, the PRP search is to be reviewed by a civil investigator and upgraded as necessary. The date of the Close Out memorandum and the funds that will not be recovered should be entered into CERCLIS. If the decision is preliminary, a planned date should be entered into CERCLIS for the decision document.

Negotiation of Interagency Agreements or other Federal agency compliance agreements should include a provision for recovery of past Fund expenditures, including EPA oversight costs.

As part of cost recovery management and preparation for civil referrals, regions should plan upgrading of PRP searches, assembly of administrative records, cost documentation, and demand letters. In addition, planning for RI/FS and RD/RA negotiations should include cost documentation of past removal and RI/FS costs. Finally, oversight cost recovery and accounts receivable must be managed.

State Enforcement

Regions are required to report progress on State Enforcement lead sites as they would any other site. This universe includes work financed by the PRP under a state order with oversight paid for or conducted by EPA (PS-lead) and work financed by the PRP under a state order and no EPA oversight support or money is provided (SR). SR lead activities/events should have no planned obligations. Funds for state oversight are provided through cooperative agreement (CA) or other comparable enforcement document. While it is recognized that information at SR lead sites is difficult to obtain, regions are requested to report, through CERCLIS, any information they have on these sites, particularly if it may contribute to the RA start goals.

FEDERAL FACILITIES

The primary focus of the program is on Federal Facilities currently on or proposed to the NPL and entering into Section 120 Federal Facility Agreements/Interagency Agreements (FFA/IAG) with these facilities. The first priority for FY90 is to continue to oversee work at facilities with §120 FFA/IAGs signed in FY89. The second priority is to complete §120 FFA/IAG negotiations at facilities which were targeted in FY89 but slipped to FY90 and the third priority is to enter into §120 FFA/IAGs at all facilities that were not targeted for §120 FFA/IAGs in FY89. All proposed and final Federal Facilities, including Update 9 sites, should have signed §120 FFA/IAGs by the end of FY90, except for several Federal Facilities which will be targeted in FY91.

Many of the Federal Facilities will have significant RCRA/CERCLA integration issues. Regions, in conjunction with states, need to address these issues relative to the scope of the FFA/IAG early in the negotiations process. Both RCRA and CERCLA program staff, as well as the Office of Regional Counsel, need to be involved in these discussions.

Federal Facilities are defined as "Facilities owned or operated by a department, agency, instrumentality of the United States." The Federal Facility Hazardous Waste Compliance Docket contains the primary universe of Federal Facilities that are being assessed for inclusion on the National Priorities List. The bulk of these Facilities on the Docket that have been or will be placed on the NPL are Facilities owned by the Departments of Defense and Energy. Over time, Facilities and lands owned by the Bureau of Land Management (BLM) within the Department of Interior will probably score high enough for inclusion on the NPL. To date, the Docket does not contain Facilities that fall within the "Formerly-Owned" category. HQ is currently analyzing these Facilities relative to the requirements of CERCLA §120.

EPA's policy is to enter into §120 IAGs with all Federal Facilities proposed to or on the NPL. The scope of these IAGs is to include the RI/FS phase as well as the RD/RA phase. Where appropriate, and in conjunction with the RCRA program offices, these IAGs can be used to justify RCRA corrective action requirements. The concept is to use CERCLA to justify RCRA so that only one set of requirements is applied to avoid redundant and duplicative efforts. In some cases, however, a combined RCRA/CERCLA permit/IAG approach may be taken when the situations warrant such an approach, e.g., at DOE Weapons Facilities, or when the State or EPA RCRA program has compelling interests at units on a Facility. Pre-planning, coordination among appropriate offices, and definitive "scoping" of a Federal Facility are necessary factors for successful remediation.

Regions should follow the Federal Facility negotiation policy for addressing Federal Facilities. In essence, the policy is as follows:

- Establish 90 day IAG negotiation periods based on the quarterly SCAP IAG targets. These schedules are to be forwarded to HQ two weeks prior to each quarter.
- Address the RCRA/CERCLA issues prior to the negotiation period in conjunction with the State and RCRA program offices.
- Issue a Federal Facility notice letter to the Federal Facility establishing the negotiation time frame.
- Conduct three-party negotiations. The 90 day period may be extended 30 days if settlement is close.
- If issues still remain after the 90/120 day period, the IAG is to be elevated to HQ (FFHWCO) for dispute resolution. Along with the elevation, the region should recommend either a 106 AO or two-party agreement should HQ resolution fail. If settlement is not reached, either the 106 AO will be referred to DOJ or the region will enter into a two-party agreement, depending on which is appropriate.

In situations where a Federal agency is a PRP at a private site, they are to be treated the same as a private party. Cash-outs with premiums with the Federal agency may expedite RI/FS and RD/RA negotiations. Similarly, at formerly-owned sites with multiple PRPs, the Federal agency is to be treated the same as a private party. At formerly-owned sites where the Federal agency is taking sole responsibility for the RI/FS and RD/RA, the regions may use a §120 IAG approach.

CHAPTER VI

FINANCIAL PLANNING AND MANAGEMENT

CHAPTER VI - FINANCIAL PLANNING AND MANAGEMENT

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **Regions are required to plan their obligations within program specific budget allocations given to the regions prior to the July update.**
- **Funding needs within the budget allocation should have a funding priority status of "Approved." Funding needs above the budget allocation should have a funding priority status of "Alternate."**
- **HQ will not initiate negotiations with a region until the "Approved" funds requested are within the budget allocations.**
- **Regions are required to operate within their final negotiated annual operating budget and quarterly Advice of Allowance (AOA).**
- **RA funding decisions will be made based on the RA environmental prioritization. These decisions will be re-evaluated at mid-year and throughout the third and fourth quarters.**
- **RI/FS costs should be reduced to a national average of $750,000 per operable unit and $1.1 million per site with the exception of Mega-sites. RI/FS budgets will be developed based on these averages.**
- **No monies will be issued to the region through the AOA process unless the appropriate project specific obligation and commitment data are reflected in CERCLIS.**
- **Regions must pull an Advice of Allowance report from CERHELP and enter the AOA amounts from that report into the Integrated Financial Management System (IFMS) before the end of the funding quarter.**

ONE MINUTE PROGRAM MANAGER RULES

- Planned and actual obligations and commitments in CERCLIS and CERHELP cannot exceed the annual regional budgets or the AOA will not be approved.
- Shifts of funds between allowances and any addition or deletion of funds from any allowances require HQ approval of a SCAP amendment and a change request.
- HQ approval is not required to shift funds between projects in the other remedial, RI/FS, RD, removal or enforcement AOA.
- CERCLIS must be revised to reflect shifts between projects within allowances and shifts between allowances. HQ will not approve a SCAP amendment request or a change order until CERCLIS reflects the proposed revisions.
- Regions will not receive funds for an RA in their AOA unless the RA remedy type has been entered into CERCLIS and the RA has been evaluated and approved for funding under the RA environmental prioritization criteria.
- A region will not receive funds above its annual regional budget unless CERCLIS is revised and a SCAP amendment and change request has been approved by HQ.
- A regional contingency account can "hold" remedial response funds (except RAs) made available as a result of PRP takeovers, RD bids coming in under projected amounts or when actual obligations were less than planned obligations.
- The contingency account must be reduced when the region identifies uses for these funds.
- In the event of a funding shortfall, the regional contingency account will be tapped as a first source of additional monies.

CHAPTER VI - FINANCIAL PLANNING AND MANAGEMENT (Cont'd)

ONE MINUTE PROGRAM MANAGER RULES

- **If a region receives funds in their AOA which were not obligated during the quarter, the relevant planned obligation data in CERCLIS must be revised or the amount placed in the contingency account. Failure to make this change in CERCLIS may cause a reduction in the next quarter AOA.**

- **Regions will receive their percentage of the annual removal budget if they have updated quarterly plans for those amounts in CERCLIS by the AOA pull date.**

- **Review the financial status of all contracts, IAGs and CAs regularly. If the required activities have been completed and there are funds outstanding, the outstanding funds should be deobligated immediately.**

- **When a funding document has been processed by the region, the planned financial data in CERCLIS must be replaced by the commitment or obligation data. Failure to make this change may cause a reduction or withholding of the AOA for subsequent quarters.**

CHAPTER VI - FINANCIAL PLANNING AND MANAGEMENT

This chapter discusses the impact of the SCAP process on the regional operating budget and AOA and outlines Superfund financial management responsibilities.

In FY89, the Agency began implementation of the new Integrated Financial Management System (IFMS). This system will be implemented in two phases. The first phase is now in place; the second phase is scheduled for implementation in October 1989. The Agency is still in the developmental stages of phase II. As a result, many of the financial management systems decisions have not been made and the information in this chapter will need to be revised. Addenda to the Manual will be issued later in the FY.

SCAP'S RELATIONSHIP TO ANNUAL REGIONAL BUDGET

The SCAP process is the planning mechanism used by the Superfund program to identify pre-remedial, remedial, removal and enforcement funding needs for the fiscal year. The planned obligations included in the second quarter SCAP update (February) form the basis for the regional budgets for the next fiscal year. The final annual regional operating plan, and the associated budget, are a result of the August HQ and regional negotiations on the proposed program budgets. Though regions are required to operate within their final negotiated annual operating budget, adjustments within this budget can be made during the fiscal year.

The actual allocation of funds is done through the Agency's Phase III Operating Plan. This plan is submitted to the Office of Management and Budget for apportionment of funds. After OMB review and concurrence, the Operating Plan is submitted to the Congress for approval of significant reprogramming of funds.

Prior to the beginning of the fiscal year, each region will be given a proposed budget allocation for the remedial (including pre-remedial), removal and enforcement programs. The budget allocations are developed using the program/activity specific criteria discussed later in this section. Regions are required to plan their obligations within the program specific allocations, they are not required to plan obligations within the activity specific criteria. Final budgets will be developed upon completion of the fourth quarter negotiations between HQ and the regions. Planned obligations for regional activities must fall within the total identified budget levels, and should be shown by entering "approved" in the funding priority status data field. Funding needs above the HQ proposed total budget level must be designated as "alternate". This will allow HQ to see the regional funding priorities, what activities will not be performed as a result of lack of funds, and provide the information needed for any supplemental funding requests. HQ will not initiate negotiations with a region until the funds requested are within the proposed total budget levels.

Following is an explanation of the criteria used to develop the regional budgets.

Pre-Remedial Annual Regional Budget

The HQ and regional budget for the pre-remedial program is $2 million less than the funds available in FY89. The proposed regional pre-remedial budget was established based on the number of State-lead PA/SI completions targeted in the March negotiations. PA's are priced at $6 K and SI's are priced at $25 K each. Management assistance or other forms of state assistance should be funded as project support or Core Program Cooperative Agreement funds.

Remedial Annual Regional Budget

In FY89, a number of Fund-financed subsequent RA projects starts were not funded and there are not enough funds for the RAs scheduled to begin in FY90. Funding for RAs will be distributed to the regions based on the RA environmental prioritization approach presented in Chapter I. Projects deemed to be of highest environmental priority will be funded. The funding decision will be reevaluated at mid-year and throughout the third and fourth quarters.

The criteria used to develop the major portions of the regional budget are shown in Exhibit VI-1 on the following page.

Fund-Financed RI/FS Funding Strategy

FY90 represents the third year of the Fund-financed RI/FS full funding strategy. The strategy calls for full funding of all projects started prior to or during FY90 by the end of the year. This strategy excludes a small number of unusually large or complex sites (Mega sites) which will continue to be funded on an annual basis.

Successful implementation of this strategy requires meeting the RI/FS cost reduction goals initiated in FY89. This requires that RI/FS costs be reduced to a national average of $750,000 per operable unit and $1.1 million per site. Both the operable unit and site goals are important. The operable unit goal primarily affects year-to-year funding limits. The site goal is needed for longterm cost management and to eliminate the incentive a region may have to break sites into operable units to increase its annual budget. A region's RI/FS budget is developed based on the funding strategy.

Treatability studies are not included in the cost goals. These activities are funded as a separate event.

Removal Annual Regional Budget

The Removal Annual Regional Budget consists of removal actions and removal support dollars. The FY90 Removal Action Regional Budget allocations will be distributed based on 90% of the FY89 initial regional budget allocation. The balance of the FY90 removal budget will be held in reserve at HQ.

FY90 Removal support dollars will be calculated using the program management costs specified in the mini-ERCS contract.

Enforcement Case Budget -- Annual Regional Budget

The Case Budget refers to the extramural financial resources necessary to pay for the support provided to OWPE for Superfund work by contractors, other federal agencies, and the states. The majority of the Case Budget is used to pay for contractor support.

EXHIBIT VI-1
CRITERIA FOR PROPOSED REGIONAL REMEDIAL BUDGET DEVELOPMENT

ACTIVITY	CRITERIA
RI/FS	• Negotiate Mega-Sites. • $750K per new start. • $250K per FY89 start. • Other ongoing RI/FS based on number of projects and funds obligated in previous FYs.
RD	• $700K for each Fund-financed RD start targeted in the March negotiations.
RA	• Based on dollars and schedules in CERCLIS in accordance with the RA environmental prioritization criteria.
PROJECT SUPPORT	• Based on each region's share of remedial targets negotiated in March.
TREATABILITY STUDIES	• Funds were allocated in proportion to each region's Fund-financed RI/FS starts.
TECHNICAL ASSISTANCE GRANT	• Based on the number of NPL sites with remedial work ongoing in FY90.
CORE PROGRAM COOP. AGREEMENT	• Based on actual and planned Core Program Cooperative Agreement obligations in FY89.
PRP RD/RA OVERSIGHT	• Based on the region's PRP RD and RA projects priced at $37.5K per quarter.
ARCS MANAGEMENT	• Based on the number of ARCS contracts in each region multiplied by pricing factors for new or ongoing contracts. Funds are allocated to regions that have ARCS project officers.

Enforcement Case Budget -- Annual Regional Budget

The Case Budget refers to the extramural financial resources necessary to pay for the support provided to OWPE for Superfund work by contractors, other federal agencies, and the states. The majority of the Case Budget is used to pay for contractor support.

The process for allocating and planning Case Budget spending in FY90 will change somewhat over the FY89 process. The Case Budget of this chapter describes these changes and provides guidance on the activities that will require Case Budget support and detailed instructions on how to secure extramural resources.

A region's Case Budget allocation contains its share of available extramural resources to support the enforcement activities. This includes the following:

- RP Searches;
- Removal Negotiations and Oversight;
- RI/FS Negotiations;
- RD/RA Negotiations;
- Federal Facility IAG Negotiations and Oversight;
- Sections 106, 107 Referrals;
- Ongoing PRP RI/FS Oversight;
- Ongoing Litigation Support;
- Oversight of State Enforcement;
- Project Support; and
- Complete Site Support.

As was the case in FY89, Case Budget funds will continue to be allocated in FY90 based on the number of targeted enforcement activities requiring case budget funding identified in CERCLIS, as well as non-targeted enforcement activities that also need funding. The budgets for most of the activities are based on activity pricing factors. (Appendix G includes a discussion of enforcement activity pricing factors.) In FY90, the Case Budget allocation will be apportioned to the regions based on program outputs in the Technical Enforcement Workload Model.

Ninety-five percent of the total regional enforcement budget will be allocated to the regions. Three percent will be used to address complex site needs. Distribution of these funds for complex sites will occur following the August SCAP negotiations in accordance with agreements reached by the HQ/regional budget and SCAP planning workgroup. The remaining two percent of the SCAP budget will be held in HQ as a reserve to meet unexpected funding requirements.

The process for allocating and planning the Case Budget in FY90 will change somewhat over the FY89 process though funds will still be apportioned based on SCAP/SPMS targets and measures, financial needs identified in CERCLIS and pricing factors. The Case Budget section, appearing later in this chapter, describes changes to the allocation process, while providing guidance on the activities that Case Budget will fund and detailed instructions on how to secure extramural resources.

ADVICE OF ALLOWANCE PROCEDURES AND FINANCIAL REPORTING REQUIREMENTS

The planned obligations identified through the SCAP process are the basis for the Advice of Allowance (AOA) approved by the Office of the Comptroller and AA SWER. **No monies will be issued to the regions through the AOA process unless the appropriate project specific obligation and commitment data are reflected in CERCLIS.**

Regional Allowances

In FY90, the Office of the Comptroller will issue six allowances to the regions. They are:

- RA (site specific site allowance);
- RD (non-site specific site allowance);
- RI/FS (non-site specific allowance);
- Removal (non-site specific site allowance);
- Other remedial (regular or "O" Allowance); and
- Enforcement (regular allowance).

This structure may change as a result of the Congressional reporting requirements discussed later in this section. The following sections explain how these allowances are developed and the flexibility available in the Advice of Allowance structure.

The AOA Process

The AOA is based on the Phase III Operating Plan which identifies projected obligations for each quarter of the fiscal year. The Phase III Operating Plan for FY90 is based on the final SCAP plans developed in the fourth quarter of FY89. Funds available for obligation, however, are limited to projected needs for the upcoming quarter. The AOA process has been revised with the implementation of IFMS. Beginning in FY89, regions enter the quarterly AOA into IFMS. The AA SWER and the Comptroller's office review the funding levels entered by the region and compare them to the AOA amounts generated by the HQ program offices. If the two agree, within three working days after the start of the quarter, the Comptroller's Office and the AA SWER approve the AOA in IFMS and the funds are available for obligation.

Four weeks before the end of the quarter, HQ will generate an AOA report which reflects the approved planned obligations in the CERCLIS and CERHELP data bases. HQ will enter the AOAs into the CERHELP AOA system two weeks before the end of the quarter. Regions must pull the report from CERHELP and enter these amounts into IFMS. If the planned and actual obligations and commitments in CERCLIS and CERHELP exceed the regional budget, the region will be contacted, the AOA will not be entered into

CERHELP and the AOA in IFMS will not be approved until CERCLIS is revised. If the AOA entered by the regions does not agree with the AOA in CERHELP, IFMS will not be approved and the Automated Document Control Register will not work. Only projects planned in CERCLIS can be funded by the AOA. Exhibit VI-2 illustrates the AOA process. Regional IMCs should work closely with their Regional Finance Office on the entry of the correct AOA into IFMS.

The HQ Budget Division monitors obligations against the AOA weekly. If a region exceeds any of the allowances, or a site-specific RA allocation, the HQ Budget Division will notify the region and request resolution of the overcommitment/overobligation. The region then has until the end of the current month to rectify the overcommitment/overobligation or shut down procedures will be initiated.

If the region does not submit a change request, decommit or deobligate funds, or effect corrections in IFMS as necessary, the HQ Budget Division will initiate reprogramming from the region's regular or other remedial allowance. Repeated violations for site or allowance allocations may result in partial or total withdrawal of the region's site allowance.

As is standard Agency policy, if a region exceeds either the regular or site allowance, the HQ Budget Division will withdraw obligational authority in accordance with existing procedures. During the last quarter of the year, the HQ Budget Division will work with the regions and OSWER as necessary to ensure that all allowances and obligations are aligned prior to year-end closing.

AOA Flexibility

Flexibility exists within the AOA structure to shift funds both within and between allowances. Shifts between allowances require a SCAP amendment and must be reflected in CERCLIS prior to HQ approval. Based on Regional priorities funds may also be reprogrammed between response and enforcement. These shifts, require a SCAP amendment and may require Congressional notification. If the funds proposed for reprogramming exceed $500,000 Congressional approval is required.

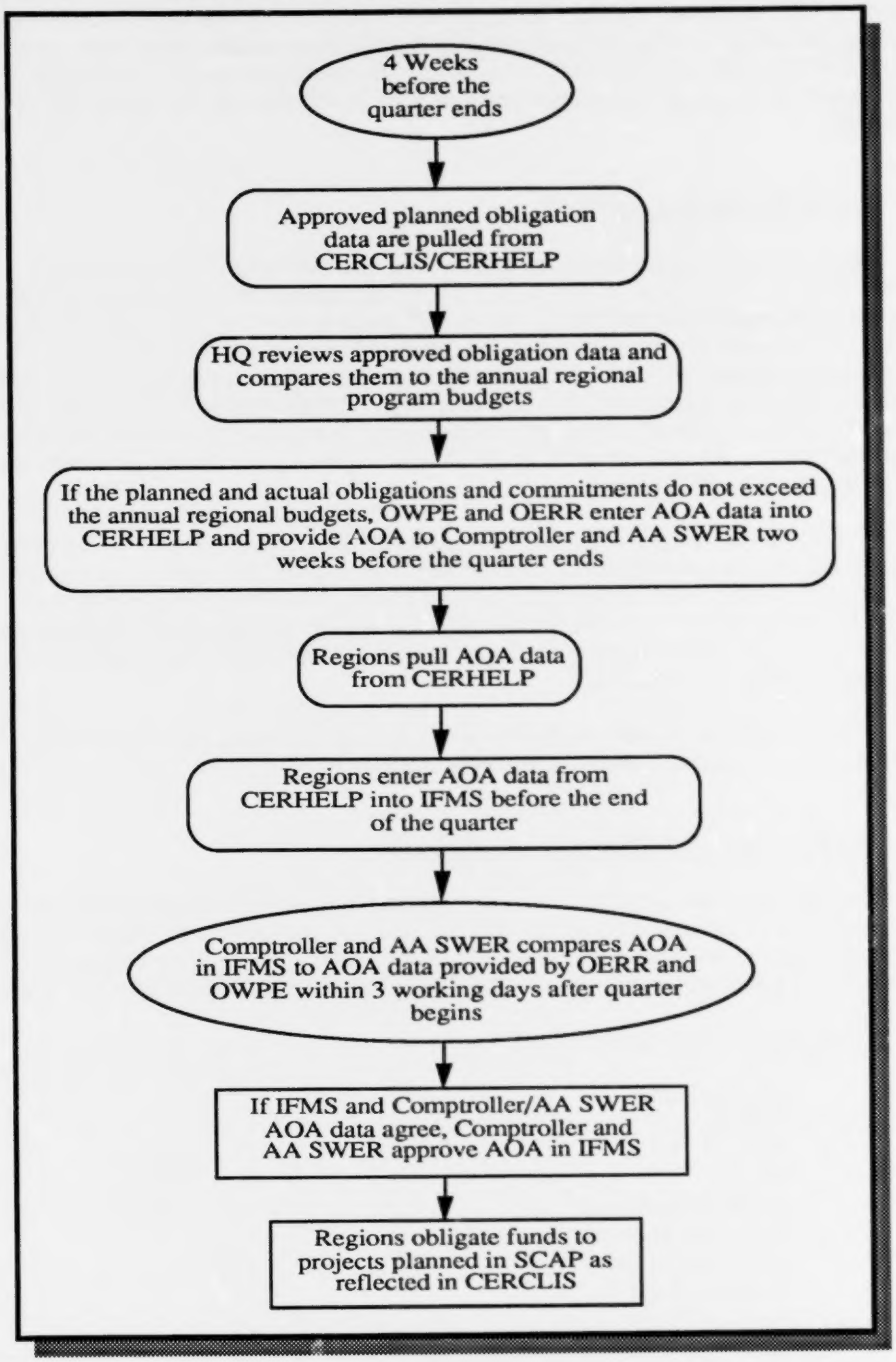
Funds saved within the RD account due to PRP takeovers, or due to bids coming in under the previously projected amount may be used for other RDs or will generally be approved by HQ for use within the region consistent with the following priorities:

- Classic emergencies;
- Funds necessary to conduct oversight of PRP settlements;
- RA projects; and
- Removal actions at NPL sites.

The RD funds may be placed in the regional contingency account, described later in this chapter, until a decision is made on where they can best be utilized. Regions must submit a SCAP amendment and AOA change request to HQ and update CERCLIS prior to obligating the saved RD funds for any of the above activities.

EXHIBIT VI-2

THE ADVICE OF ALLOWANCE PROCESS


4 Weeks before the quarter ends
Approved planned obligation data are pulled from CERCLIS/CERHELP
HQ reviews approved obligation data and compares them to the annual regional program budgets
If the planned and actual obligations and commitments do not exceed the annual regional budgets, OWPE and OERR enter AOA data into CERHELP and provide AOA to Comptroller and AA SWER two weeks before the quarter ends
Regions pull AOA data from CERHELP
Regions enter AOA data from CERHELP into IFMS before the end of the quarter
Comptroller and AA SWER compares AOA in IFMS to AOA data provided by OERR and OWPE within 3 working days after quarter begins
If IFMS and Comptroller/AA SWER AOA data agree, Comptroller and AA SWER approve AOA in IFMS
Regions obligate funds to projects planned in SCAP as reflected in CERCLIS

Given the constraints in RA funding for FY90, approval of the redirection of RA funds to other program needs is highly unlikely. If a region is able to save RA money (through a PRP takeover, or a bid coming in under budget) HQ will look favorably toward directing that savings to other environmentally significant remedial actions within the region, after consideration, however, of national environmental needs. Once again, a SCAP amendment and change request must be approved before the RA funds can be redirected.

AOA Change Request Procedures

Regions are required to operate within their quarterly AOA, and their annual regional budget. They are also responsible for managing the funds issued in the AOA. HQ approval is not required to shift funds between projects within the other remedial, RI/FS , RD, removal or enforcement portions of the AOA. CERCLIS must be revised to reflect the shift of funds between projects. Any shifts of funds between allowances, and any addition or deletion of funds from any of the allowances requires HQ approval through the SCAP amendment and adjustment procedures. (See Chapter II for more detail on amendments and adjustments.) HQ will not approve the change request unless the shift between AOAs is reflected in the CERCLIS data.

Under IFMS, change requests are electronically transferred to HQ. Each change request should equal a net change of zero dollars. The change request must be transmitted by authorized personnel in the region's financial office. The site-specific record in CERCLIS should be revised at the time the change request is transmitted. Regions should not initiate any obligations against the change until the Office of the Comptroller and AA SWER approves the revised AOA.

Since the AOA is updated daily, change requests transmitted to HQ can be processed and a revised allowance approved immediately.

FY90 Congressional Reporting Requirements

New Congressional budget and reporting requirements in eight programmatic areas have resulted in an increase in financial data collected by the Superfund response program and may change the AOA structure in FY90. It will not affect the region's ability to obligate funds, nor will it impact the flexible funding initiatives implemented in FY88.

The eight programmatic areas are:

- Pre-Remedial;
- RI/FS;
- RD;
- RA;
- Removal Actions;
- Response Support;
- Remedial Support; and
- Removal Support.

A funding level for each of the eight programmatic areas is specified in the budget and after the fact Congressional notification is required if the planned or actual obligations exceed any of the funding levels by $2 million or more. The RA threshold is $10 million.

The Comptroller's office will monitor this requirement through the AOA. The SCAP-15 Financial Summary Report will be used to manage the monitoring and reporting requirements.

SCAP'S RELATIONSHIP TO THE AOA

Within the SCAP process, obligations are planned either site, project and operable unit specifically or non-site specifically. That is, some planned obligations are associated with specific site activities while other planned obligations are estimates of total funding required for an activity within a region. The CERCLIS and CERHELP data bases have been designed to accommodate site- and non-site specific planning. Exhibit VI-3 lists the events and enforcement activities for which obligations are planned on a site, operable unit and project vs. non-site basis.

EXHIBIT VI-3

SITE VS. NON-SITE SPECIFIC PLANNED OBLIGATIONS

Site Specific

- Community Relations**
- Design Assistance**
- Expedited Response Actions
- Federal Facility Oversight
- Forward Planning**
- Litigation Support
- Long Term Response
- Management Assistance**
- Negotiations:
  - -- IAG
  - -- RD/RA
  - -- RI/FS
- Operation and Maintenance**
- Oversight of PRP:
  - -- RI/FS
  - -- RD
  - -- RA
  - -- Removals
- RA
- RD
- RI/FS
- Removals
- Technical Assistance**
- Technical Assistance Grants**
- Workplans**

Non-Site Specific*

- ARCS Contractor Management
- Administrative Record Backlog
- Aerial Surveys
- Compliance Monitoring
- Core Program Cooperative Agreements
- Geophysical Support/ Topographical Mapping
- Mini-ERCS Management
- PRP Searches
- Preliminary Assessment/ Site Inspection
- Preliminary Natural Resource Surveys
- Records Management
- State Enforcement Management Assistance
- TES Contractor Management
- Training

* For these activities, regions must enter the number of sites involved and the contract vehicle.

** These activites may be planned site-specifically or non-site specifically.

CERCLIS only tracks extramural funding needs. Therefore, regions should be certain all their extramural funding needs are reflected in CERCLIS and CERHELP such that there is a crosswalk between the CERCLIS planned financial data and the regional AOA.

In addition to the site and non-site specific planning, obligations are also planned and budgets developed on a program specific basis. The Budget Source field in CERCLIS identifies which program pays for the planned events/activities. Exhibit VI-4 presents the budget source codes associated with each program. It is important that regions accurately identify the budget source since each program develops an annual budget and each program has a separate AOA process. It is also important that the regions maintain this budget source code to eliminate potential impacts on the regional AOA.

EXHIBIT VI-4

BUDGET SOURCE CODES

E	=	Enforcement	**N**	=	HQ Enforcement
V	=	Removal	**M**	=	HQ Removal
R	=	Remedial	**D**	=	HQ Remedial

Exhibit VI-5 identifies the major events/activities and the appropriate budget source codes, depending on the project/event lead, for planned obligations. In general, TES 3 and 4 funds should be given a budget source of "N" instead of "E". Funds for temporary or permanent relocations conducted by FEMA should be given a budget source of "M" or "D" after the IAG is signed and funds are transferred to HQ through the change request procedures. Funds for aerial surveys are allocated in the regional budget. Once the change request transferring the funds to EMSL is processed, the budget source code in CERCLIS should be changed to an HQ budget source code. Funds for some project support activities (i.e., aerial surveys, topographical mapping, geophysical support, etc.) at PRP lead RI/FS should be included in the RI/FS oversight request.

For FY90, HQ will be shifting the obligation authorities for mixed funding to the regions. Funds needed for these agreements will have to be planned in advance and become part of the region's budget.

EXHIBIT VI-5
WHO PAYS FOR WHAT

EVENT/ACTIVITY	EVENT/ACTIVITY CODES		LEAD	BUDGET SOURCE
	CERCLIS	CERHELP		
ARCS Management		PM	--	R
Administrative Cost Recovery	AV		FE	E
Compliance Monitoring (RD, RA, O&M, LTR)	RD,RA,OM,LR		FE	E
Core Program Cooperative Agreement		SC	S	R
ERA	ER		F	R
ERA Oversight	ER		RP	E
Federal Facilities				
Docket		FD	FF	E
RI/FS Oversight	RI,FS,CO		FF	E
RD Oversight	RD		FF	E
RA Oversight	RA		FF	E
LSI	ES		S,F	R
Litigation Referrals (with or without Settlement) and Ongoing Support				
Section 106	SX		FE	E
Section 107	SV		FE	E
Section 106/107	CL		FE	E
Mini-ERCS Management		PM	--	V
NBAR	NB		FE	E
Negotiations(including development of site workplans)				
Removal	RN		FE	E
RI/FS	FN		FE	E
RD/RA	AN		FE	E
PA/SI		PA		R
PRP Searches				
NPL	NS		FE	E
Non-NPL	RP		FE	E
Project Support*				
Aerial Surveys		AS	ALL	R
Administrative Record	AR	AR	F,S,MR,SE FE,RP	R E
Community Relations	CR	CR	F,S,MR,FE,SE PS,RP	R E
Design Assistance	DA	DA	ALL	R
Geophysical Support	GS	HG	ALL	R
Long Term Response	LR	LR	ALL	R
Management Assistance	MA	MA	F,MR RP	R E
Operation & Maintenance	OM	OM	ALL	R
Preliminary Natural Resource Surveys		PN	RP	E

* Guidance on assigning leads for project support activities is found in Chapter V.

EXHIBIT VI-5
WHO PAYS FOR WHAT (Cont'd)

EVENT/ACTIVITY	EVENT/ACTIVITY CODES		LEAD	BUDGET SOURCE
	CERCLIS	CERHELP		
State Enforcement Management Assistance		EM	PS	E
Technical Assistance	TA	TA	F,S,MR PS,RP	R E
Technical Assistance Grants	CT	TG	ALL	R
Topographical Mapping		TO		R
Removal	RV,IR,PR	RV	F,S	V
Contingency		RC	F	V
Investigations		RS	F	V
NPL		NP	F	V
Non-NPL		NA	F	V
Oversight of PRP removals	RV,IR,PR	RV,IR,PR	RP	E
RI/FS	RI,FS,CO,FP		F,S	R
Technical Oversight of PRP	RI,FS,CO,FP		RP,PS	E
RD	RD		F,S,MR	R
Technical Oversight of PRP	RD		RP,PS,MR	R
RA	RA		F,S,MR	R
Technical Oversight of PRP	RA		RP,PS,MR	R
Records Management		RM	--	E,R
TES 5+ Program Management		PM	--	E
Temporary Relocation				
Remedial	TR		F,S,MR	R
Removal	TR		F,S	V
Treatability Studies	TS	TS	F,S,MR	R

*Guidance on assigning leads for project support activities is found in Chapter V.

Remedial Financial Planning for AOA

The AOA for the remedial program is issued by the Office of the Comptroller on a site and non-site specific basis and is broken down into the following categories:

- RI/FS;
- RD;
- RA (site-specific); and
- Other remedial.

The other remedial allowance includes site-specific and non-site specific program and project support activities, and oversight of PRP-lead RDs and/or RAs. Site-specific planned obligations are entered directly into CERCLIS in the appropriate event record for the site. At this time, the planned obligation date, amount, contractor vehicle, budget source and priority funding status are to be entered. The regional other remedial AOA is the total of the approved site-specific or non-site specific planned obligations in CERCLIS and CERHELP with a budget source code of "R". CERCLIS will automatically aggregate the site-specific and non-site specific planned obligations for the purpose of developing and issuing the AOA.

The RI/FS and RD allowances are issued on a non-site specific basis. Site-specific planned RI/FS and RD obligations are to be entered directly into CERCLIS, with the planned obligation date, contractor vehicle, budget source and priority funding status. The AOAs are the total of the approved RI/FS and RD planned obligations with a budget source code of "R".

Unlike the RI/FS and RD, the Office of the Comptroller issues the AOA for RA activities on a site-specific basis. The AOA for RAs is pulled directly from the approved site-specific planned obligations in CERCLIS and is issued by site name, site/spill identifier and dollar amount. Regions must be sure the planned obligation date, contractor vehicle, budget source, priority funding status and remedy type are entered into CERCLIS. **Regions will not receive RA funds in their AOA unless the remedy type has been entered into CERCLIS. In addition, in order to be approved for funding, the region must submit the RA environmental prioritization documentation for evaluation.**

A region will not receive funds above its annual regional budget unless a SCAP amendment and change request have been approved by HQ. **Each quarter the actual and approved planned obligations and actual commitments must be less than or equal to the annual regional budget or the AOA will not be approved.**

In FY90, HQ has established a non-site specific remedial contingency account in CERHELP. The remedial contingency account **cannot** be used for developing regional budgets. It can **only** be used during the operating year for "holding" remedial response funds (except RAs) made available; 1) as a result of PRP takeovers; 2) RD bids coming in under projected amounts; or 3) in situations where the actual obligations were less than planned obligations.

As regions identify uses for these funds, the contingency account must be reduced as the region enters site specific planned obligations in CERCLIS. The funds in the contingency account will be reviewed by HQ at mid-year and throughout the third and fourth quarters. In the event of a funding shortfall, the regional contingency accounts will be tapped as a first source of additional monies.

If a region receives funds in their AOA which were not obligated during the quarter received, the relevant planned obligation data in CERCLIS must be changed or the amount placed in the contingency account. At the end of each quarter HQ will review the AOA funds remaining, commitments and obligations made, the contingency account, and planned obligation data. If AOA funds were not committed or obligated and the planned obligation data were not changed, HQ will take the following actions:

- Reduce the next quarter's AOA for other remedial, RI/FS or RD funds by the amount that was not committed or obligated; or

- Request that regions follow the Office of the Comptroller's change request procedures to return RA funds to HQ.

The Financial Summary Report (SCAP-15) will be used to evaluate the status of the RI/FS, other remedial, RD and removal allowances. The Projected Fund-Financed Remedial Projects Report (SCAP - 3) will be used for the RA allowance.

To the maximum extent practicable, regions should plan for mixed funding requirements prior to the development of the annual regional budget. However, if a request for pre-authorization is received and funds are required during the current fiscal year, regions must identify the source of the requested funds from within their annual budget.

Removal Financial Planning for AOA

In FY90 the process for determining quarterly AOAs for the removal program will change. As usual, each region's annual budget will be established in August 1989. Regions will get 30% of their annual budget in the first quarter, 20% in the second quarter and 30% in the third quarter, as long as they have updated quarterly plans for those amounts in CERCLIS by the specified pull dates. These plans can still be adjusted, as needed, anytime after the pull date. There will be a negotiation with HQ for the fourth quarter allocation in order to help ensure that all removal funds are being used to the best advantage. As is currently the procedure, if at any time a region needs additional funding, CERCLIS should be updated to show the proposed spending plan with a funding priority status of "Alternate" and a request for a change should be made to the Response Operation Branch. When the change has been approved, the funding priority status code in CERCLIS should be revised.

Enforcement Financial Planning for AOA

In FY90, the Case Budget AOA allocation will be displayed by contract mechanism as in the past, as well as according to Workload Model output categories. The CERHELP portion of CERCLIS will be modified to allow the AOA to be reflected in terms of the output categories. Three quarterly AOAs have been proposed for FY90. The AOA issued in the first quarter will contain the first and second quarter funding needs identified in CERCLIS. Funds for tasks planned in the third and fourth quarters will be issued in the third and fourth quarter AOAs, respectively.

OWPE CASE BUDGET PROCESS

This section provides an overview of the CB process, including a discussion of SCAP targeted and non-targeted activities needing Case Budget funding, financial planning and tracking requirements and responsibilities, budget allocation and AOA distribution, contract mechanisms, activities and their pricing factors, CERCLIS coding instructions, and CERCLIS Case Budget reports. In addition, a brief summary of regional/HQ responsibilities during the Case Budget process is included.

OVERVIEW OF THE CASE BUDGET PROCESS

There are five basic components to the Case Budget process. These are 1) preliminary Case Budget allocation and distribution, 2) regional planning against the preliminary budget, 3) HQ/regional negotiations, 4) the final Case Budget distribution, and 5) actual work assignment tasking. Each of these steps within the Case Budget process is fully detailed in the chapter.

Preliminary Case Budget Allocation and Distribution

A Region's CB allocation contains the region's share of available extramural resources used to support enforcement activities. This includes the following:

- PRP Removals
- Pre-RI/FS Starts Enforcement Activity
- PRP RI/FS Oversight
- RD/RA, O/M, LTR Compliance Monitoring
- Litigation Support
  - RD/RA Referrals and Negotiation
  - Cost Recovery Referral Development
  - Ongoing Litigation Support
- State Enforcement RI/FS Oversight
- Federal Facility Activity (Negotiation/Oversight)
- Program Implementation/Support
- Complex Sites.

As was the case in FY89, Case Budget funds will continue to be allocated in FY90 based on the number of targeted Enforcement activities requiring CB funding listed in CERCLIS, ongoing projects and non-targeted enforcement activities that also need funding. The budgets for most of the activities and events are based on average pricing factors. (See page VI-16 for a discussion of Enforcement activity pricing factors. Also see Exhibit VI-6, which lists all targeted and non-targeted enforcement activities that can receive funding in FY90, along with their pricing factors). In FY90, the Case Budget allocation will be apportioned to the regions based on program outputs in the Technical Enforcement Workload Model. To allow regions to make one request for litigation, the three budget categories of RD/RA Referral and Negotiation, Cost Recovery and Ongoing Litigation Support have been collapsed into the general category of litigation support. One request, therefore, may be made for both the quarter in which the litigation is referred and for the subsequent ongoing quarters.

VI-16

EXHIBIT VI-6

FY90 CASE BUDGET FUNDED ACTIVITIES REQUIRED TO ACHIEVE PROGRAM OUTPUTS

TECHNICAL ENFORCEMENT SUPPORT WORKLOAD MODEL CATEGORIES	ASSOCIATED CASE BUDGET FUNDED ACTIVITIES (Target = *)	CERCLIS CODES	CERHELP CODES	VALID LEADS	$K AVG. PRICING FACTOR		AVG. DURATION IN QUARTERS	TOTAL AVG. COST
					ANNUAL	QRTRLY		
REMOVAL PROGRAM	- NON - NPL RP Search	RP	RP	FE	2.2		1	2.2
	- Removal Negotiation Starts	RN	RN	FE				
	- RP Oversight (PRP removals)*	RV, IR, PR		RP, MR	50.0		1	50.0
PRE RI/FS (Enforcement Activity)	- NPL RP Search	NS	PS	FE	50.0		2	50.0
	- RI/FS Negotiation Starts	FN	FN	FE	50.0			50.0
PRP RI/FS OVERSIGHT	- RP RI/FS Oversight (Starts*, Ongoing through Completion*)	RI, FS, CO	RI	RP, MR		20.0	10	200.0
RD/RA COMPLIANCE MONITORING	- RA Oversight	RA	RA	RP, MR		2.5	6	15.0
	- RD Oversight	RD	RD	RP, MR		2.5	4	10.0
LITIGATION SUPPORT	- Administrative Cost Recovery	AV		FE	12.0		1	12.0
	- RD/RA Negotiation Starts*	AN	AN	FE	30.0		3	30.0
	- NBARS	NB	NB	FE				
	- Referrals*							
	Section 106, 106/107	SX,CL	SX,CL	FE	20.0		1	20.0
	Section 107 Removal	SV	SV	FE	14.0		1	14.0
	Section 107 Remedial	SV	SV	FE	20.0		1	20.0
	- Ongoing Support							
	Section 106, 106/107	SX,CL	SX,CL	FE		20.0	14	280.0
	Section 107	SV	SV	FE		7.8	14	109.2

EXHIBIT VI-6 (CONT.)

FY90 CASE BUDGET FUNDED ACTIVITIES REQUIRED TO ACHIEVE PROGRAM OUTPUTS

TECHNICAL ENFORCEMENT SUPPORT WORKLOAD MODEL CATEGORIES	ASSOCIATED CASE BUDGET FUNDED ACTIVITIES (Target = *)	CERCLIS CODES	CERHELP CODES	VALID LEADS	PRICING FACTORS		AVERAGE DURATION IN QUARTERS	AVG. TOTAL COST
					ANNUAL	QRTRLY		
STATE ENFORCEMENT	- PS Lead RI/FS Oversight*	RI, FS, CO	RI	PS		15.0	10	150.0
FEDERAL FACILITIES	- IAG Negotiations*	IN		FE	50.0		2	
	- RI/FS Oversight*							
	1st Operable Unit	RI, FS,CO	RI	FF		20.0	10	200.0
	2nd Operable Unit	RI,FS,CO	RI	FF		12.0	10	120.0
	3rd + Operable Unit	RI,FS,CO	RI	FF		8.0	10	80.0
	- RD/RA Oversight*							
	1st Operable Unit	RD,RA	RD,RA	FF		20.0	10	200.0
	2nd Operable Unit	RD,RA	RD,RA	FF		12.0	10	120.0
	3rd + Operable Unit	RD,RA	RD,RA	FF		8.0	10	80.0
PROGRAM IMPLEMENTAION	- TES 5+ Program Management		PM					
	- Administrative Record	AR	AR	RP,FE				
	- Records Management		RM					
	- Federal Facility Docket		FD	FF				
	- Community Relations	CR,RC	CR	RP,PS,SE				
	- State Enforcement Management Assistance		EM	PS				
	- Information Management		IM					
	- ERA Oversight	ER		RP				
	- Management Assistance	MA	MA	RP				
	- Preliminary Natural Resource Surveys		PN	RP				
	- Technical Assistance	TA	TA	PS,RP				

Based on the revision agreed upon by HQ and the regions on the Technical Enforcement Support Distribution Model, the Case Budget will be distributed as follows:

- Three percent (3%) of the total budget will be held back for complex/mega sites;
- Two percent (2%) of the total budget will be held at HQ for contingency funding and distributed in a hand AOA;
- The remaining ninety-five percent (95%) of the budget will be distributed to the Regions through quarterly AOAs.

Complex site funding will be based on individual regional appeals to be delivered to HQ prior to the August SCAP negotiations. Requests for complex site funding should be limited to those activities/events for which the funding requirement is at least twice the average pricing factor or which the region cannot adequately fund within their allocation. Regional appeals, both in CERCLIS and written, therefore, should identify the site, activity or event, and the Case Budget need. Following the negotiations, a review board consisting of HQ, the lead region and 3 to 4 other regional representatives will review the appeals and make final distribution decisions.

In FY90 the CERHELP portion of CERCLIS will be modified to allow the Advices of Allowance (AOA) to be shown according to Technical Enforcement Support Workload categories. In addition, AOAs will be distributed and tracked according to specific contract mechanisms (e.g. Non-TES, TES 5).

Quarterly AOAs have been proposed in FY90. The first quarter AOA would distribute all approved complex site funding, fifty percent of all annually priced activities, and the first quarter allocation for quarterly priced activities, both new and ongoing. The second quarter AOA would include funding for second quarter new and ongoing activities with a quarterly pricing factor. At the mid-year SCAP negotiations, HQ and the regions will negotiate the funding requirements associated with the remaining fifty percent for annually priced activities, as well as new and ongoing quarterly priced activities needing funds in the third and fourth quarter. These negotiations will be the basis for a redistribution of the Case Budget in order to address changes in regional plans and program priorities. Specific guidance regarding the process and data sources to be used during these negotiations will be provided prior to the end of fiscal year 1989 as a supplement to the FY90 SCAP Manual.

The third quarter AOA would reflect the outcome of mid-year negotiations. Remaining funds for annually priced activities would be distributed along with updated needs for quarterly priced activities requiring funds in the third quarter. Prior to the fourth quarter AOA, another round of negotiations will occur to ensure that any changes in regional plans are addressed. The fourth quarter AOA would allocate only those funds associated with quarterly priced activities occurring in the fourth quarter. In addition, however, the two percent held at HQ for contingency funding will be distributed to the regions as needed in a an AOA.

Regional Planning Against Preliminary Budget

The goal of the FY90 Case Budget process is to increase effectiveness, allow greater flexibility and provide financial accountability through CERCLIS. The Case Budget will be distributed according to Technical Enforcement Support Workload Budget categories, however, it should be planned and managed at the bottom line. Regions should plan their budget site-specifically or use a combination of site-specfic and non-site-specific planning where actual sites are undetermined prior to the start of the fiscal quarter. Non-site-specific plans should be replaced with site-specific plans when sites are identified.

Regions should indicate their Case Budget plans in CERCLIS and CERHELP by the July 10 data pull. (Details on how to code Case Budget plans in CERCLIS are presented in Appendix G) It is important that regions plan their Case Budget needs and requests against specific sites where possible. This will enable both the regions and HQ to identify regional priorities and budget needs that exceed the proposed allocation. Such detail is crucial to any attempt by HQ to seek supplemental funding. Without site- specific justification, HQ will not consider requests in excess of the proposed allocation. In addition, throughout the fiscal year regions should ensure that CERCLIS plans are updated to accurately reflect funding requirements against the available budget.

Because the Case Budget is fiscal year specific, all budget requests should be limited to only the amount needed during the fiscal year being planned. The budget should not be used to fund activities priced quarterly into FY91 except in rare circumstances. In the case of annually priced activities, it is expected that the funding provided in one fiscal year will support the activity through completion and that additional funds will not be requested in subsequent fiscal years. Unless there are extraordinary circumstances, which should be discussed with HQ, regions should only plan for the amount needed to fund the activity or event through the end of the fiscal year.

Exhibit VI-6 on page VI-16 displays all the activities and events eligible for funding in FY90 within specific budget categories. Case Budget dollars planned against other activities will not be accommodated. It is important to note that any other activity or event not listed here will not be included on the standard reports currently being developed. In FY90, the Case Budget no longer pays for many supporting activities (e.g. Operation and Maintenance, Design Assitance, Geophysical Support, etc.). These activities are now being funded through the Remedial budget. Regions should reference Exhibit VI-5 for a complete listing of which budget supports specific activities and events.

Since the Case Budget is to be managed at the overall or bottom line level, regions must consider both their actual allocation and funding priorities when planning their budgets. In addition, average pricing factors and budget categories should be considered when determining site and regional funding requirements. For example, if a region's total request is within the allocated budget the request within the budget category of PRP RI/FS Oversight does not have to match the proposed allocation for that budget category. Regions are not required, therefore, to request dollars within budget category pricing.

It is recognized that regions may have to shift funds among budget categories in order to fund priority activities. However, should an additional need arise within a category that has been "switched from", additional funds from the contingency fund will be made available based on the need, other regions' needs, and the amount available. If additional funds are determined to be necessary, the funding status codes, 'APR' and 'ALT', must be properly used to identify funding priorities.

To determine the proper funding status code, the activity/event must be identified as a primary or alternate activity/event to meet a target. If it is an alternate, the entire request should be coded as 'ALT'. To determine the funding status for primary activities/events, the total of all the requests must be considered. If the total request does not exceed the available budget the funding status codes may be 'APR'. If, however, the budget is exceeded two financial records must be created for the activity/event. The records, that have a corresponding approved record for the same site, activity or event, and operable unit, will identify supplemental funding requirements for primary activities and events. The approved plans must not exceed preliminary distributed allocations. AOAs will not be distributed to regions with approved planned dollars totalling more than the available budget.

HQ/Regional Adjustment

Throughout the fiscal year, regions must also show adequate utilization of its Case Budget. Regions should, therefore, examine its entire AOA, its utilization and ascertain whether funds are available from other budget categories prior to requesting additional funds. HQ must know that the region is fully using its AOA through adequate obligating and tasking before it can entertain additional Case Budget requests. Consequently, it is imperative that TESWATS and CERCLIS consistently reflect obligations and work assignment tasked amounts. Additional requests for HQ held contingency funding will be reviewed on the basis of need, other regions' needs, and the amount of dollars available.

In FY90 there will be a Case Budget review during the mid-year SCAP negotiations. There will also be a round of negotiations in June for the fourth quarter AOA. A region may carry unobligated AOA to subsequent quarters, however, regions that have not been obligating and tasking their allowance risk the loss of their entire third and fourth quarter AOA. If a region has an excessive unobligated allowance (greater than twenty percent) at the beginning of the third quarter, it will be required to produce a site-specific spending plan in CERCLIS for both the third and fourth quarters by mid-May in order to retain its entire fourth quarter AOA.

Final Budget Distribution

Approximately fifteen days prior to the beginning of the quarter, HQ will indicate the approved quarterly budget levels in CERHELP. AOAs will be displayed as approved amounts for each Workload Model output category as well as for the TES 5+ and Non-TES contract categories. HQ will not send out a memorandum containing the approved amounts, however, it will send notification that the approved budget has been recorded in CERHELP. A region's 'APR' records must not exceed their approved budget for the upcoming quarter. In order to receive its allowance, a region must have updated quarterly plans for those amounts in CERCLIS by the specified pull date.

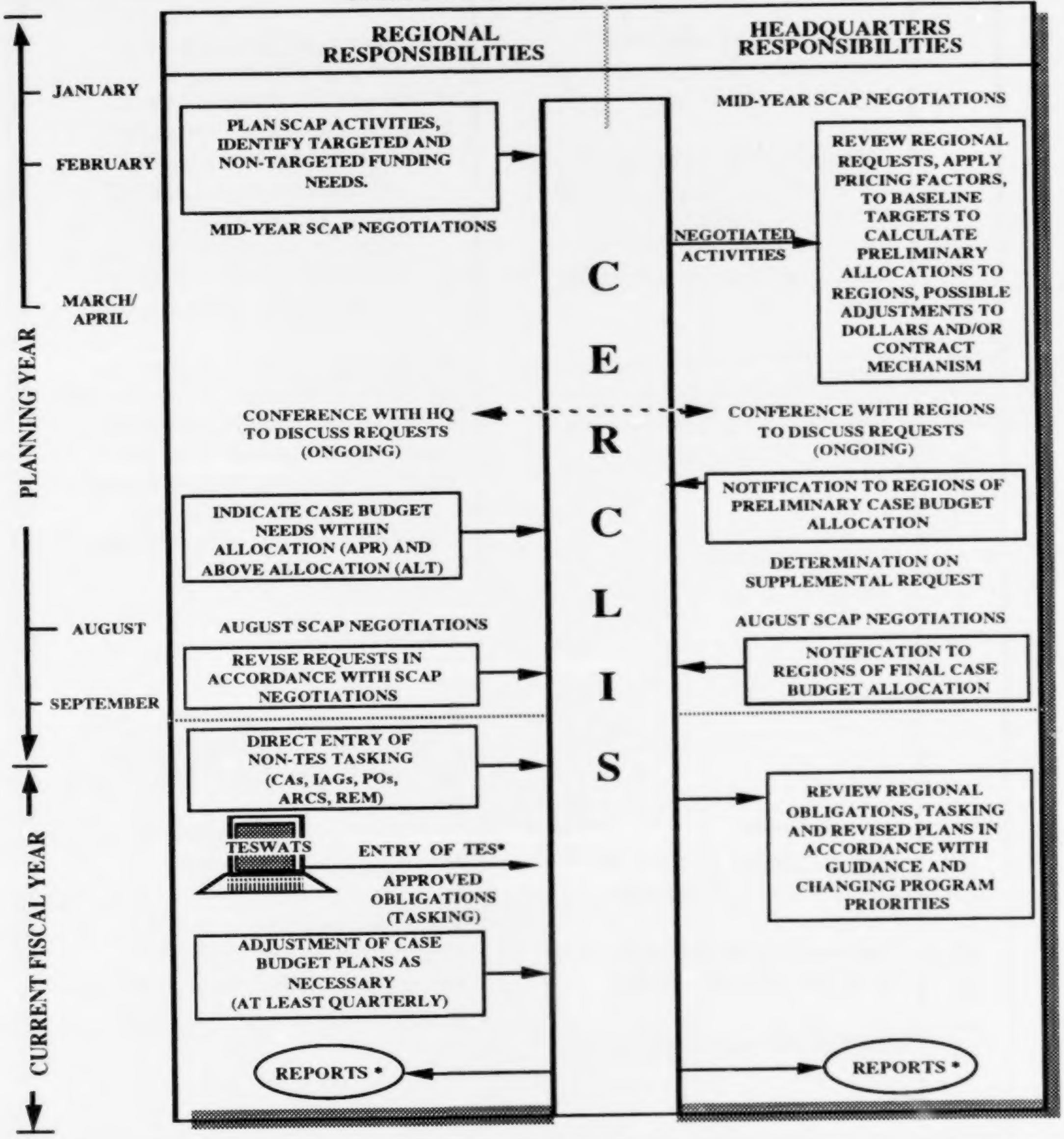
Tasking

The manner in which HQ reviews regional Case Budget tasking will change significantly in FY90. It is HQs' goal to integrate the Enforcement contract and financial information in CERCLIS with TESWATS and FMS. The tracking of actual tasked dollars will be done through CERCLIS. (See Appendix G for details about how to enter tasking data into CERCLIS). Tasking will not be reviewed for each activity for consistency with pricing factor methodology, however, HQ will seek to ensure that tasking is consistent with regional plans and the approved bottom line allocation for the fiscal quarters. Tasking that exceeds an approved allocation will be addressed with the region.

To manage the Case Budget it is essential that regional Informational Coordinators (IMCs) and TES regional Project Officers (RPOs) responsibilities are well coordinated. RPOs must incorporate CERCLIS information in TESWATS and report Enforcement obligations and work assignments to the IMCs. IMCs, in turn, must provide Case Budget planning reports to RPOs and ensure accurate data entry into CERCLIS and CERHELP. CERCLIS/CERHELP will be the only place where AOA funding, obligations, and work assignment tasking amounts will be shown together. A more detailed description of the interrelated roles and responsibilities is described in Appendix G. Exhibit VI-7 summarizes RPO and IMC responsibilities while Exhibit VI-8 describes general regional and HQ responsibilities.

EXHIBIT VI-7

CASE BUDGET RESPONSIBILITIES


REGIONAL RESPONSIBILITIES
HEADQUARTERS RESPONSIBILITIES
JANUARY
FEBRUARY
MARCH/ APRIL
AUGUST
SEPTEMBER
PLANNING YEAR
CURRENT FISCAL YEAR
PLAN SCAP ACTIVITIES, IDENTIFY TARGETED AND NON-TARGETED FUNDING NEEDS.
MID-YEAR SCAP NEGOTIATIONS
C E R C L I S
MID-YEAR SCAP NEGOTIATIONS
NEGOTIATED ACTIVITIES
REVIEW REGIONAL REQUESTS, APPLY PRICING FACTORS, TO BASELINE TARGETS TO CALCULATE PRELIMINARY ALLOCATIONS TO REGIONS, POSSIBLE ADJUSTMENTS TO DOLLARS AND/OR CONTRACT MECHANISM
CONFERENCE WITH HQ TO DISCUSS REQUESTS (ONGOING)
CONFERENCE WITH REGIONS TO DISCUSS REQUESTS (ONGOING)
NOTIFICATION TO REGIONS OF PRELIMINARY CASE BUDGET ALLOCATION
INDICATE CASE BUDGET NEEDS WITHIN ALLOCATION (APR) AND ABOVE ALLOCATION (ALT)
DETERMINATION ON SUPPLEMENTAL REQUEST
AUGUST SCAP NEGOTIATIONS
AUGUST SCAP NEGOTIATIONS
REVISE REQUESTS IN ACCORDANCE WITH SCAP NEGOTIATIONS
NOTIFICATION TO REGIONS OF FINAL CASE BUDGET ALLOCATION
DIRECT ENTRY OF NON-TES TASKING (CAs, IAGs, POs, ARCS, REM)
REVIEW REGIONAL OBLIGATIONS, TASKING AND REVISED PLANS IN ACCORDANCE WITH GUIDANCE AND CHANGING PROGRAM PRIORITIES
TESWATS
ENTRY OF TES* APPROVED OBLIGATIONS (TASKING)
ADJUSTMENT OF CASE BUDGET PLANS AS NECESSARY (AT LEAST QUARTERLY)
REPORTS *
REPORTS *

.* See the exhibits on enforcement financial/audit reports later in this chapter.

EXHIBIT VI-8
REGIONAL/HQ CASE BUDGET RESPONSIBILITIES

	REGIONAL RESPONSIBILITIES	HQ RESPONSIBILITIES
PLANNING YEAR	Negotiate activity targets with Headquarters at the mid-year SCAP negotiations in February. Submit Case Budget requests (through CERCLIS) in response to Regional allocations calculated by HQ by mid-March. Identify approved, alternate, and complex site funding needs. Negotiate revisions to targeted activities and Case Budget dollars at August SCAP negotiations. Receive Case Budget AOA distributions.	Calculate regional allocations for activities planned by the regions following the mid-year SCAP negotiations in February. Allocations are made for: -- targeted enforcement activities (based on pricing factors); and -- non-targeted enforcement activities (based on a combination of pricing factors and priorities identified by the regions during negotiations). Review regional Case Budget requests submitted through CERCLIS in response to allocations (March through June). Assess complex site issues and initial need for supplemental funding request. Confer with Region as necessary. Proceed, if necessary, with supplemental funding request. Determine final allocations at August SCAP negotiations. Distribute Advices of Allowance (AOA) to the Regions in September. AOAs consist of dollars for no-TES and TES V+ contractors.
CURRENT FY	Manage Case Budget within the approved bottom-line allocation. Enter work assignment tasking amounts into CERCLIS as they occur. Negotiate Mid-year adjustments.	Negotiate Mid-year adjustments. Review Regional tasking against allocations. Generate CERCLIS mainframe obligations reports in response to Regional or HQ information needs.

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* The Enforcement Financial Workgroup organized by the Program Management and Support Office (PMSO) and including regional representation will address ways for the regions to receive and enter this data.

ACTIVITY SPECIFIC CODING INSTRUCTIONS

FY90 Budget Category: PRP Removals

Non-NPL PRP Search

Non-NPL (Removal) PRP Searches should be coded as 'RP' for the activity type (C1732). The CERHELP activity code (C402) should be 'RP' for Removal PRP Searches. The only valid lead for this activity is 'FE' for Federal Enforcement. These activities capture notice letter support, financial assessment, record compilation, title search, and de minimis determination. The PRP searches for large removals are estimated to cost $13 K. For small removals where the owner or operator is known or where cost recovery litigation is a low priority, the PRP search costs may be closer to $2.2 K.

Removal Negotiation Starts

The CERCLIS and CERHELP activity code for Removal Negotiations is 'RN'. The only valid lead for this activity is 'FE'. An average pricing factor has not been established for this activity, however, it has been acknowledged as a regional need to be funded from the category of PRP Removals.

PRP Removal Oversight

CB requests for oversight of PRP Removals should be coded with an event type (C2111) of 'RV' for removal action. All removal events must be coded with a lead of 'RP' for potentially responsible party or 'MR' for mixed funding. The average pricing factor for oversight of this event is $50 K in total. Requests for these funds should be entered in the quarter in which the removal is planned to start, but oversight costs will only be provided at sites covered by an Enforcement agreement (e.g., Administrative Order, Consent Decree, Judgment).

FY90 Budget Category: Pre RI/FS Starts

NPL PRP Search

Regions should code PRP searches as 'NS' CERCLIS (C1732) or 'PS' in CERHELP (C402) when initial HRS scoring indicates the site will be listed on the NPL. Continuing PRP search activities should be coded as a second PRP search. The lead for these activities should be designated as 'FE'. The average annual pricing factor for this activity is $50 K.

RI/FS Negotiation Starts

RI/FS negotiations are priced at $50 K in total. This represents the funds for negotiations including support for negotiation meetings and developing negotiation support documents (e.g., a detailed scope of work, forward planning, and records compilation) and the issuance of administrative orders. These funds are not to support the full range of activities and workplan development for a Fund-financed RI/FS.

Requests for this activity should be coded as 'FN' for both the CERCLIS and CERHELP activity type (C1732 and C402 respectively). The quarter in which the request is made must be consistent with the planned start date. The only valid lead (C1707 and C404) for this activity is 'FE' for Federal Enforcement. RI/FS negotiations at a federal facility, however, are not funded by this category.

FY90 Budget Category: PRP RI/FS Oversight

PRP RI/FS Oversight

The CERCLIS event codes (C2111) for RI/FS oversight are 'RI' for Remedial Investigation, 'FS' for Feasibility Study, and 'CO' for Combined RI/FS. This event has an average pricing factor of $20 K per quarter, however, funding requests may only be for the quarters in which the event spans in the planned fiscal year. For example, if a RI/FS is planned to start in the third quarter, $20 K may be requested in both the third and fourth quarter. The remaining quarters to be funded must be requested in subsequent years. In addition, the valid leads (C2117) to receive CB funds from this category are 'RP' for Responsible Party and 'MR' for Mixed Funding.

FY90 Budget Category: RD/RA Compliance Monitoring

RD/RA Oversight

The CERCLIS and CERHELP event code (C2111 and C402) is 'RD' and 'RA' for Remedial Design and Remedial Action. The pricing factor is $2.5 K per quarter. The lead for this event (C2117) must be either 'RP' or 'MR' in order to request Case Budget oversight dollars.

FY90 Budget Category: Litigation Support

Administrative Cost Recovery

Administrative Cost Recovery , 'AV', is priced at $12 K in the quarter the action is initiated.

RD/RA Negotiation Starts

The CERCLIS and CERHELP activity code (C1732 and C402) for RD/RA negotiations is 'AN'. The average pricing factor is $30 K, funded in the quarter in which the negotiations are planned to start. The review of a PRP remedy or review of PRP comments to a recommended remedy, are generally included in the RI/FS budget as response to public comments. This activity consists primarily of negotiation sessions and responses to additional PRP inquiries. Costs associated with preparation of UAOs are also included in the $30 K pricing factor. The valid lead (C1707 in CERCLIS and C404 in CERHELP) for this activity to receive CB funds is 'FE' for Federal Enforcement.

Non-Binding Allocation of Responsibility (NBAR)

NBARs are elgibile to receive Case Budget funds in FY90. The average pricing factor is $3 K. The CERCLIS activity code (C1732) should be 'NB' and the lead (C1707) must be 'FE'.

Litigation Referrals

There are three litigation referral activities (C1732) eligible to receive CB funds in FY90. The pricing factor for Section 106 Referrals, 'SX' is $20 K per quarter. Section 107 Litigation, 'SV', is priced at $7.8 K per quarter with an average quarterly duration of 14 quarters. Section 106/107 Litigation, 'CL', has a pricing factor of $20 K per quarter and also has an average quarterly duration of 14 quarters. In addition, to request funding for these activities, it is necessary to identify the Remedy Type (C2731) associated event for which costs are being recovered. The valid cost recovery codes are 'VM' for removal action, 'VO' for RI/FS, 'VD' for RD, 'VA' for RA, and 'VS' for oversight. The only valid lead (C1707) that receives funds for these cost recovery activities is 'FE'.

Ongoing Litigation Support

Ongoing litigation support may be requested for the above referenced litigation. It is important for ongoing work that actual start dates (C1716) and planned completion dates (C1715) are coded accurately.

FY90 Budget Category: State Enforcement

Case Budget dollars may be requested for RI/FS with a 'PS' lead. The valid event codes (C2111) are 'RI', 'FS' or 'CO'. This lead (C2117) indicates that the PRP is performing the work under state order, that the request is for costs associated with oversight of the PRP and that an Enforcement agreement exists between the State and EPA.

FY90 Budget Category: Federal Facilities

The Federal Facility budget in FY90 is $6,295 K nationally. This money is used to fund the above Case Budget activities at Federal Facility sites. It is imperative, therefore, to code the site (C135) a 'Y' indicating that it is a Federal Facility. In addition, the valid leads are 'FF' for events (C2117) and 'FE' for activities (C1707).

IAG Negotiations

In FY90 $2,750 K is available nationally to fund IAG negotiations. The activity code in CERCLIS (C1732) is 'IN'. The valid lead (C1707) is 'FE'. The average pricing factor is $50 K annually.

RI/FS and RD/RA Oversight

RI/FS and RD/RA Oversight costs at Federal Facilities are associated with the appropriate operable unit. It is imperative, therefore, that the CB request corresponds to the operable unit for which the event is planned. Oversight at the first operable unit is priced at $20 K per quarter. The cost of oversight at the second operable unit is $12 K per quarter. The oversight at the third or subsequent operable unit is priced quarterly at $8 K.

FY90 Budget Category: Program Implementation

TES 5 Program Management

Regions should plan up to 10% of their total TES 5 allocation for program management purposes. This request for funding should be made non-site specifically. The code in CERHELP (C402) for this activity is 'PM'. The contract vehicle (C1408) must be coded to correspond to the specific contract for which management costs are associated.

Administrative Records

SARA specifies that Administrative Records be developed at Superfund sites where remedial or removal responses are planned, are occurring, or where EPA is issuing a unilateral order or initiating litigation. In FY90, CB funds are available for Administrative Record development. The cost for Administrative Record development may vary from $5,000 to $20,000, depending upon the number of PRPs involved, the number of documents that must be compiled, and the history of the site. HQ anticipates that the cost of most Administrative Records will not exceed $12,000. HQ has not established firm pricing factors for Administrative Record development, but rather has allowed for a range of expected costs, depending upon the priority of the Administrative Record being funded.

Funding requests for Administrative Record development or modification at sites with an ongoing RI/FS should be made site-specifically. The Event Type CERCLIS code (C2111) is 'AR'. In addition, the 'AR' event record should be placed in the appropriate RI/FS operable unit if a separate funding action is anticipated for AR work. Costs for Administrative Record development for new RI/FS starts are included in the RI/FS pricing factor of $20 K per quarter. All other requests for Administrative Record backlog work (for planned or signed RODs, Enforcement Referrals, Removals where Sections 106 or 107 activity is planned or in process, including completed removals) may be made non-site specifically. The CERHELP Event code (C402) is also 'AR'. The valid leads for Administrative Record are 'RP' and 'FE'.

Records Management

Funding requests for Records Management activities may be planned non-site specifically. The activity type in CERHELP (C402) is 'RM' for records management. Records management activities eligible for funding include planning of systems, development of file structures, as well as operation of systems for retention and retrieval of Superfund site files.

Community Relations

The CB is used to pay for Community Relations (CR) for a removal and other remedial events when a PRP leads the response. The community relations plan should be funded concurrently with negotiations. Funds for a community relations plan can be combined with the TES work assignment (WA) funding the negotiations, or it can be a separate funding action. CR implementation should be funded concurrently with the oversight of PRP response and again, can be combined with the oversight funding in one WA, or funded separately.

CR funding requests may be requested either site-specifically or non-site specifically, depending on if the site is known prior to the fiscal year. In CERCLIS the event code (C2111) is'CR' for those community relations activities associated with remedial response activities. Those activities associated with removal response events are entered as 'RC'. Specific elements of CR work (e.g., CR plan, CR implementation, revised CR plan, etc.) are considered subevents to the

'CR' or 'RC' record. Funds, therefore, cannot be specified for subevents. The valid CERCLIS leads (C2117) for CR are 'RP', 'PS', and 'SE'.

Non-site specific CR funding requests may also be made. The CERHELP Activity codes (C402) are 'CR' and 'RC' for these activities. The lead codes in CERHELP (C404) should also be 'RP, 'PS', or 'SE'.

Federal Facility Docket

In FY90 there is $1,000 K available nationally for implementation of the Federal Facilities Compliance Docket and maintenance of existing docket facilities. All requests for this activity may be made non-site specifically in CERHELP (C402). Funding requests for docket activities should be entered as 'FD' for Federal Facility Docket. The lead in CERHELP (C404) must be 'FF'.

State Enforcement Management Assistance

Funding requests for state management assistance during Federal lead enforcement activities should be made non-site specifically. The Activity Type code in CERHELP (C402) is 'EM'. Separate non-site specific records should be entered to show total management requests by state. The lead code (C404) should be 'PS' for Potentially Responsible Party financed work performed by the PRP under a state order. The Financial Vehicle (C1408) must be coded as 'CAG' to indicate funding through a Cooperative Agreement.

Information Management

Case Budget funds may be requested in FY90 to cover costs associated with information management. Requests should be made non-site-specifically with the CERHELP activity code (C402) coded as 'IM'.

ERA Oversight

Costs associated with ERA oversight may be requested in FY90. The CERCLIS code (C1732) is 'ER'. The valid lead is 'RP' for oversight.

Management Assistance

Managment Assistance funds may be requested from the Case Budget if the costs are associated with an RP lead event or activity. The CERCLIS and CERHELP activity code is 'MA' and the lead must specifiy 'RP'.

Preliminary Natural Resource Surveys

Interagency Agreements with the National Oceanic and Atmospheric Administration (NOAA) and the Department of Interior (DOI) will be available for Regions to manage for initiating Preliminary Natural Resource Surveys (PNRS). Detailed guidance has been provided in a joint document with OERR entitled "Regional Processing of Superfund IAGSs. Planning for these activities is through the CERHELP. The Activity Type (C402) code is 'PN'. The agency through which the work will be performed must be listed in the comment field (C1421). Regions should use $6 K per site to estimate funding requirements. The only valid lead for PNRS to be funded from the Case Budget is 'RP'.

Technical Assistance

Final draft guidance was sent to the Regions on Interagency Agreements (IAGs) for technical assistance in March 1989. This guidence detailed processes and procedures for obtaining technical assistance with the above referenced agencies. Site specific planning for enforcement activities/events is required in CERCLIS. The contract vehicle (C2908/C3239) must be coded 'IAG' for Interagency Agreements.

ENFORCEMENT FINANCIAL REPORTS

Enforcement activities/events requiring CB funds must be coded accurately. To enhance financial planning data quality, several Enforcement financial reports have been developed for both regional and HQ use.

Financial Planning Reports

On the main CERCLIS menu, under 'ENFR' for the Enforcement menu, are seven Enforcement financial planning reports. Exhibit VI-9 lists each report number, title, and a brief description. The user is prompted for a region and a fiscal year when selecting these reports. Specific select logic for these reports may be found in the CERCLIS Reports Library. Currently two reports are being developed to indicate primary and alternate activity and event requests within the specific budget category to which they apply. These reports will be put on the main CERCLIS menu and will be available by late June.

Financial Planning Audit Reports

Six audit reports have been programmed to ensure data accuracy for Enforcement financial data. These reports are available on the main CERCLIS menu, under 'AUDT' for SCAP Audit reports. Exhibit VI-10 lists each report number, title, and a brief report description. Like the standard Enforcement financial reports, the user is prompted for both a Region and a fiscal year. By late June one Case Budget audit report (a consolidation of six previously available audit reports) will be available on the main CERCLIS menu. This audit report will isolate the key CB field (CERCLIS or CERHELP data element) which is either inaccurate or nonexistent. Without this required information, requests will not appear on the standard Enforcement financial reports. These standard reports are used by HQ to determine Regional Case Budget needs. It is important, therefore, that records appearing in the audit reports be verified for accuracy and modified as necessary.

Contract Management

Contract Management Delegation

In FY90 eight Technical Enforcement Support (TES) contracts are available for Regions to support their Enforcement programs. These contracts are referred to collectively as TES 5. Both the Regions and HQ will have management responsibilities for these new contracts. Regional Project Officers (RPOs) will provide programmatic oversight and technical direction for contractor performance from a Regional perspective. HQ Zone Project Officers (ZPOs) will provide guidance and technical assistance to the RPO for contract management.

EXHIBIT VI-9

ENFORCEMENT FINANCIAL REPORTS

NUMBER	TITLE	DESCRIPTION
ENFR-10	ENF Planned Dollars Report for 'SE' & 'PS'	Lists Enforcement FY90 site-specific "State" activities/events, planned dollars by region, activity /event type funding status, state , site name, totals by activity/event funding status, activity/event, region, and grand total are calculated.
ENFR-11	ENF Non-site Specific Planned Dollars	Lists Enforcment FY90 non-site specific planned dollars by region, activity/event type, funding status, and state, totals by activity/event region, and grand total are calculated.
ENFR-13	ENF Obligation & Approved Planned Dollars	Lists Enforcement site-specific FY90 obligated and approved planned dollars by region, state, site name, activity/event, contract vehicle, totals by region and grand total are calculated.
ENFR-20	ENF Planned Dollars for Federal Facilities	Lists Federal Facilties site-specific FY90 planned dollars by region, activity/event type, funding status, state, and site name, totals by activity/event funding status, activity/event, region, and grand total are calculated.
ENFR-21	ENF and Remedial Planned Dollars	Lists Enforcement and Remedial site-specific FY90 planned dollars by region, activity/event type, funding status, state and site name, totals by activity/event type, regional Enforcement/Remedial funding status, region, and grand total are calculated.
ENFR-22	ENF Planned Dollars by Activtiy/Event	Lists Enforcement site-specific FY90 planned dollars by region, activity/event, funding status, state, and site name, totals by activity/event funding status, activity/event, region, and grand total are calculated.
ENFR-23	ENF Planned Dollars by Budget Sources & Contract Vehicle	Lists Enforcement site-specific FY90 planned dollars by region, budget source, contract vehicle funding status, state and site name, totals by contract vehicle funding status, contract vehicle, budget source, region, and grand total are calculated.

OSWER Directive No.9871.0-1a, dated March 3, 1989, outlines the responsibilities for both HQ and the Regions. The specific directive should be referenced for additional guidance.

Interagency Agreements

Regions have been delegated responsibility for developing Regional Interagency Agreements (IAG) in FY90 for the following agencies: Department of the Interior

EXHIBIT VI-10

ENFORCEMENT FINANCIAL AUDIT REPORTS

NUMBER	TITLE	DESCRIPTION
AUDT-27	ENF. FIN. AUDIT-No Contract Vehicle	Events/Activities with a FY(89 or 90) financial plan FYQ, an Enforcement budget source, a financial amount, and no contract vehicle.
AUDT-28	ENF. FIN. AUDIT- No Actual or Planned Start Date	Events/Activities with a FY (89 or 90) financial plan FYQ, an Enforcement budget source, a financial amount planned , or no actual start date.
AUDT-29	ENF. FIN. AUDIT- No Actual or Planned Start and Passed Plan Start Date	Events/Activities with a FY (89 or 90) financial plan FYQ, an Enforcement budget source, a financial amount, and no actual start date.
AUDT-30	ENF. FIN. AUDIT-No Lead	Events/Activities with a FY (89 or 90) financial plan FYQ, an Enforcement budget source, a financial amount, and no lead.
AUDT-31	ENF. FIN. AUDIT-Actual Completion Date Before Planned $ FYQ	Events/Activities with a FY (89 or 90) financial plan FYQ, an Enforcement budget source, a financial amount, and an actual complete date prior to the financial plan FYQ.
AUDT-38	ENF. FIN. AUDIT-No Funding Status	Events/Activities with a FY (89 or 90) financial plan FYQ, an Enforcement budget source, a financial amount, and no funding status

(DOI), Department of Justice (DOJ), National Oceanic and Atmospheric Administration (NOAA), U.S. Army Corps of Engineers (USACE), U.S. Geological Survey (USGS) and U.S. Fish and Wildlife Service (USFWS). HQ will maintain the national IAG with the Department of Justice (DOJ) in FY90 and all other IAGs managed by HQ will be closed out after FY89. A Region, therefore, must initiate an agreement with the respective Agency. For detailed IAG guidance the regions should reference OSWER Directive 9295.0-01 "Superfund: regional Interagency Handbook".

Technical Assistance

Final draft guidance was sent to the regions on Interagency Agreements (IAGs) for technical assistance in March 1989. This guidance detailed processes and procedures for obtaining technical assistance with the above referenced agencies. Site specific planning for enforcement events/activities is required in CERCLIS. The contract vehicle (C2908/C3239) must be coded 'IAG' for Interagency Agreement.

Department of Justice

EPA HQ maintains a national agreement with the DOJ/Land and Natural Resources Division (LNRD) to provide legal representation and associated support services on behalf of EPA for all matters arising from or related to CERCLA and SARA. Support services are defined as expert witness and automated litigation services. DOJ/LNRD maintains a base level budget for legal representation services. The purpose of this section is to provide the regions with a forward planning process that will identify needs for these services. EPA HQ will transfer funding to DOJ based on those estimates. The region's Non-TES budget will be reduced by HQ in the amount transferred to DOJ. The region will delete their planned financial records when they are notified by HQ that the transfer has been complete.

DOJ will provide expert witness (EW) for referred cases. The regions will coordinate the planning for expert witness with the Office of Regional Counsel (ORC) and DOJ/LNRD. The region should plan for the experts under the appropriate enforcement activity (i.e., Section 106, Section 107). The funding vehicle would be IAG and DOJ, "EW" must be posted in the financial notes field.

DOJ may provide automated litigation support (ALS) for referred cases. This support and the use of EPA regional funds is discretionary and is based on the requirements for a particular case. The regions must coordinate the planning for ALS with the ORC and DOJ/LNRD. The region should plan for the ALS under the appropriate enforcement activity (Sections 106, Section 107). The funding vehicle would be IAG and DOJ, "ALS" must be posted in the financial notes field.

8(a) Contracts

Regions are encouraged to use 8(a) minority contractors whenever alternatives to TES or other contracts are needed. Historically, 8(a) contractors have been used primarily for PRP searches. They can, however, be used for oversight support, records management, sampling and other activities. Use of 8(a) contractors is not limited to any particular type or activity.

Funding for 8(a) requests will be included in the regional AOA. Requests for 8(a) contract dollars should be made through the usual SCAP process; i.e., they should be entered into CERCLIS site-specifically using 8(a) contract spending, though requests should fall within the appropriate activity pricing factors.

SUPERFUND FINANCIAL MANAGEMENT

The purpose of the following section is to assist regional Program Offices in carrying out their financial management responsibilities.

Regional Financial Management Responsibilities

Due to the complexity of the Superfund program, numerous organizational units within the regional EPA offices have responsibility for Superfund financial management. These organizations and their responsibilities are detailed below.

Regional Administrator

Regional Administrators have the authority to:

- Approve removal actions up to $2 million per site;
- Award Cooperative Agreements (CAs);
- Award Interagency Agreements (IAGs);
- Enter into Superfund State Contracts (SSCs);
- Initiate remedial planning activities;
- Grant states credit against their cost share; and
- Award Technical Assistance Grants.

All of these authorities may be re-delegated with the exception of 1) removal actions deemed to be "nationally significant" and 2) Technical Assistance Grants.

Regional Program Office

Regional Program Office financial responsibilities include:

- Providing technical support to the Contracting Officer in contracts management;
- Reviewing vouchers and/or financial reports;
- Managing Cooperative Agreements (CA) and Interagency Agreements (IAGs);
- Preparing Commitment Notices (CN) and Procurement Requests (PR);
- Developing Superfund State Contracts (SSC);
- Negotiating CAs with states, political subdivisions and Indian Tribal governments;
- Either issuing site/spill identifiers (S/S ID) or requesting that they be issued by the regional Management Division;
- Managing the region's allowances;
- Approving Requests for Proposals or Bids and contracts developed by the states; and
- Participating in pre-award financial management system reviews.

Within the regional Program Offices, the following staff have specific Superfund financial management responsibilities:

- On-Scene Coordinator (OSC). The regional OSC may be an employee of EPA or of the U.S. Coast Guard. This employee reacts to hazardous substances spills and releases or threats of release by initiating and managing the removal process. The OSC's financial management responsibilities include preparing site budgets and contract action requests; completing Action Memoranda; preparing delivery orders and PRs for contracts; establishing and maintaining official removal site files; reviewing and approving the removal cleanup contractors' charges on a daily basis; tracking site costs against the established site ceiling; and approving removal contractors' invoices. The OSC must be aware of, in control of and responsible for all removal site charges and for ensuring that costs are reasonable and necessary.

- Ordering Officer. All Ordering Officers must have a written "Delegation of Procurement Authority" signed by a Senior Procurement Manager prior to performing their duties. The Ordering Officer, who typically is an OSC, may initially obligate up to a maximum of $250,000 for removals at a specific site by issuing a Delivery Order under an existing contract. This person also develops the statement of work and cost ceiling for removals.

- Remedial Project Manager (RPM). The RPM, in coordination with state program personnel, is responsible for managing remedial and enforcement costs and activities on a site-specific basis, for reviewing remedial contractor invoices and financial reports, and for establishing and maintaining the official site files. Like the OSC, the RPM must be aware of, in control of and responsible for remedial site charges and for ensuring that costs are reasonable and necessary.

- Regional Project Officer (RPO)/Deputy Project Officer (DPO). The RPO is responsible for overall remedial and enforcement contract management functions, including identification of regional and site-specific contract requirements, reviewing invoices, and financial monitoring of the contract. The DPO is responsible for overall removal and general site support contract management functions. The RPO/DPO evaluates and designates contractor award fees; monitors contractors' activities; and reviews monthly contractor reports and site-specific attachments.

The RPM or the RPO may initiate work assignments (WAs), CAs, IAGs and contracts, and approve site-specific IAG invoices.

- Administrative Support Unit (ASU). Administrative Support Units may be established in each regional Program Office. The purpose of these ASUs is to assist the OSC/RPM in performing their administrative duties, thus allowing the OSC/RPM to concentrate their efforts on their technical site management activities. These units are designed to perform at least four important functions:

  - -- Provide administrative support to the OSC/RPM on site;
  - -- Provide the OSC/RPM with administrative support in the regional Program Offices;
  - -- Provide liaison between the OSC/RPM and other groups involved in administrative matters; and
  - -- Provide support to the regional remedial and removal program management.

Specific examples of the kind of administrative and financial management support the ASUs may provide to the OSC/RPM are as follows:

- Assist in developing removal site budgets and preparing Action Memoranda;
- Assist in daily cost monitoring via daily contractor reports;
- Maintain the Removal Cost Management System;
- Set up and maintain active remedial and removal site files;
- Complete PRs and CNs; and
- Request and review reports generated by REPORTER for purposes of monitoring site costs. REPORTER is the new report writer package which has replaced the Software Package for Unique Reports (SPUR) of the Integrated Financial Management System (IFMS).

The ASUs may be staffed with EPA staff or the non-government functions may be contracted out. Additional information on the model of an ASU is found in the Report of the Workgroup on Management Support for Superfund's On-Scene Coordinators, dated March 1987.

Regional Management Division

For the purposes of this document, the regional Management Division is the organization in which financial management, budgetary, accounting, planning, and assistance agreements administration functions are carried out. The regional Servicing Finance Office (SFO) and Contracting Officers for the Alternative Remedial Contracting Strategy (ARCS) and the Emergency Response Cleanup Services (mini-ERCS) are considered to be a part of this division. In most regions, the regional Management Division:

- Assigns account numbers (AN) and Document Control Numbers (DCN) to all regional commitment and obligating documents;
- Controls the regional allowance, maintains the Document Control Register (DCR), and reconciles transactions;
- Generally issues S/S IDs for non-Coast Guard-lead sites;
- Sets up regional account numbers in IFMS (new obligational authority only);
- Processes all PRs for national contracts and enters commitments into the IFMS;
- Processes CNs for IAGs and enters commitments into IFMS;
- Processes CAs, assigns CA identification numbers, enters CA commitments, obligations and drawdowns into IFMS;
- Assists the regional Program Office in the negotiation or pre-application phases of the CA development;
- Processes all Letter of Credit increases and monitors drawdowns;
- Receives and reviews financial reports required by the CAs;
- Maintains Superfund original and site-specific document files on all regional costs and supports the regional Program Offices in preparing cost summaries and documentation for cost recovery purposes;
- Maintains accounts receivable for cost recovery and SSC cost share, and maintains billing and collection system;
- Provides regional Program Office with financial data;
- Obligates contracts and modifications for the ARCS and mini-ERCS contracts; and

- Reviews invoices and monthly financial reports for the ARCS and mini-ERCS contracts.

HQ Financial Management Responsibilities

Selected Superfund financial management responsibilities which the regional Program Office may come in contact are highlighted below.

Financial Management Division/Office of the Comptroller

This Office, which monitors the financial aspects of the Superfund program through four of its branches, performs many Superfund-related functions, including the following:

- Collects HQ's Superfund cost documentation for cost recovery;
- Oversees annual site-specific reporting processes;
- Issues financial policies and procedures;
- Provides general accounting support;
- Records transfer allocations;
- Notifies Trust Fund to invest cost recoveries, fines and penalties; and
- Establishes Superfund account numbers in IFMS.

Financial and Administrative Management Section/Office of Emergency and Remedial Response (FAMS/OERR)

FAMS provides financial management and accounting support and guidance to OERR and the regional Program Offices. As one of HQ's Superfund Allowance Holders, FAMS' responsibilities include:

- Maintains the OERR DCR and controls the HQ allowances;
- Commits funds for HQ OERR contracts and IAGs;
- Assigns accounting data to monthly site-specific invoices; and
- Processes and monitors HQ OERR IAGs.

FAMS' responsibilities in relation to the regional Program Office are as follows:

- Maintains the central S/S ID system and assigns S/S IDs to Coast Guard-lead removal sites;
- Approves regional allowances and processes change requests;
- Provides liaison with regional Program Offices regarding OERR financial issues; and
- Provides financial policies to regional Program Offices.

Contracts Management Section/Office of Waste Programs Enforcement (CMS/OWPE)

Like FAMS, the Contracts Management Section provides financial management and accounting support and guidance to OWPE and the regional Program Offices. Responsibilities include:

- Obligates funds for the TES contracts;
- Processes and monitors WAs in TESWATS;
- Processes and monitors OWPE IAGs;
- Processes invoices for TES contracts;
- Coordinates issuance of regional allowances and processes change requests;
- Provides liaison with regional Program Offices on OWPE financial issues; and
- Provides OWPE financial policies to regional Program Offices.

Procurement and Contracts Management Division/Office of Administration (PCMD)

PCMD conducts the Superfund contracting program. This involves negotiating, awarding, monitoring, modifying, and terminating contracts and providing technical guidance on contract administration. PCMD also provides cost and price analysis for Superfund contracts.

Grants Administration Division/Office of Administration

This division issues policy, regulations and guidance for the processing, award and administrative management of financial assistance agreements and IAGs; issues identification numbers for all IAGs; and processes and awards HQ IAGs.

Budget Division/Office of the Comptroller

This division allocates the Superfund allowances among the HQ and regional offices; approves regional allowances; monitors obligations against regular and site allowances on a weekly basis; processes transfer allocations; processes change requests, and reprograms allowances, as necessary.

Cincinnati Financial Management Center

The Servicing Finance Office in Cincinnati is responsible for providing accounting support for all Superfund IAGs. The Office processes disbursement requests from other agencies, processes the billing for reimbursable activities and enters IAG obligations and disbursements into IFMS.

Office of Administration/Research Triangle Park

This Servicing Finance Office (SFO) is responsible for providing accounting support for all Superfund contracts. The Office enters contract award data and obligations into IFMS, processes contractor invoices, and enters payments into IFMS via the Contract Payment System.

Financial Management Tools and Systems

Integrated Financial Management System (IFMS)

The IFMS is the Agency's official automated accounting, funds control and monitoring system. It encompasses all of the Agency's financial systems for planning, budget formulation and execution; program and administrative accounting; and audit. IFMS is maintained by the Administrative Systems Division of the Office of Information Resources Management. The Financial Systems Branch of the Financial Management Division, Office of the Comptroller, provides IFMS user support. IFMS is new to EPA and was implemented in order to expand upon and improve the original Financial Management System (FMS). Because IFMS is so comprehensive, it requires a two-stage implementation process. The first phase, which is now in place, expands upon the original FMS data and provides a mechanism to allow for cross referencing between the old and new system. The second phase, scheduled for implementation in October 1989, will complete the restructuring of the financial system to allow for more exact accounting of financial transactions. The second phase is still under development and not all the changes which will result from the implementation of IFMS are currently known. Addenda to this Manual will be issued during the year as more information is received.

- REPORTER. Through IFMS's REPORTER, formerly Software Package for Unique Reports (SPUR), an IFMS user can run specialized reports from IFMS, showing only the information selected. REPORTER can select any data elements maintained in IFMS, arrange those elements in any desired format, and print a report. The regional Program Office staff may request REPORTER reports from the regional Servicing Finance Office (SFO). These reports are especially useful for determining the status of commitments, obligations and payments for a given site.

- Regional IFMS Responsibility. Though each region is organized somewhat differently, in most regions the SFO enters commitments into IFMS for contracts and Interagency Agreements (IAGs). For Cooperative Agreements, the SFO enters not only commitments, but obligations and drawdowns as well. At the request of the regional Program Office, the SFO sets up regional account numbers in IFMS. Since the Agency does not officially recognize commitments or obligations until they appear in IFMS, it is imperative that the regional Program Office forward all commitment and obligating documents to the SFO as expeditiously as possible for entry into IFMS.

Account Number

To manage the Superfund Program effectively, and to recover cleanup costs, EPA must carefully document and record its direct and indirect costs for each cleanup action and track the costs through IFMS. The new IFMS account structure is still under development. An addendum to this Manual will be issued when it is finalized.

Document Control Number (DCN)

The DCN is a six digit number assigned by the regional SFO to Procurement Requests (PRs) and Commitment Notices (CNs) as a control number. This same number is carried over from the PR or CN to the obligating document. DCNs will continue to exist through both phases of IFMS implementation.

Document Control Register (DCR)

The DCR is the Allowance Holder's mechanism for maintaining a running balance of all funds available to the Allowance Holder. The DCR can be manual or automated (Automated DCR, or ADCR) and is generally maintained in the SFO. In Phase 2 of the IFMS implementation, the ADCR function will be integrated into IFMS.

Checking the DCR's balance is part of the Funds Certifying Officer's (FCO) certification of funds availability. Once the FCO certifies that funds are available and that the appropriate funds are being used, the FCO assigns to the action a DCN and records it in the DCR. This number uniquely identifies the spending action in the Agency's IFMS, just as a check number identifies a check.

Site/Spill Identifiers (S/S IDs)

Site/Spill identifiers are used to identify costs associated with a specific site. In IFMS, the S/S ID has been expanded to three digits. The position of S/S IDs has not been defined in Phase 2 of the IFMS implementation.

S/S IDs are established by the regional offices, with the exception of Coast Guard responses which are provided through the OERR FAMS. Each regional office has one or more persons responsible for assigning S/S IDs and communicating updated S/S ID information to HQ. This is usually done by calling or sending an updated copy of the regional S/S ID list to the S/S ID contact in HQ.

Before assigning an S/S ID, an EPA ID must exist in the CERCLIS data base. The EPA ID is a 12-character unique identifier which is used to identify a hazardous waste site or an unanticipated removal in the CERCLIS inventory. This ID is based on the Facility Index System (FINDS). An EPA ID must be established prior to assignment of an S/S ID. Each site should have a single EPA ID. In addition, there can only be one S/S ID for each EPA ID.

Before establishing a new S/S ID, a thorough check should be made to ensure that the site is not already listed under another name. Removal sites should receive identifiers as soon as it appears that more than approximately $5,000 will be spent on removal work at the site. Remedial sites should receive identifiers when the Hazard Ranking System score for the site indicates it will be proposed for the NPL and an account number is needed for the obligation of funds. Dioxin sites do not have to be on the NPL in order to establish an ID. Enforcement sites receive identifiers when costs for an enforcement activity are expected to exceed 24 workhours per pay period, and when a cost recovery action is likely.

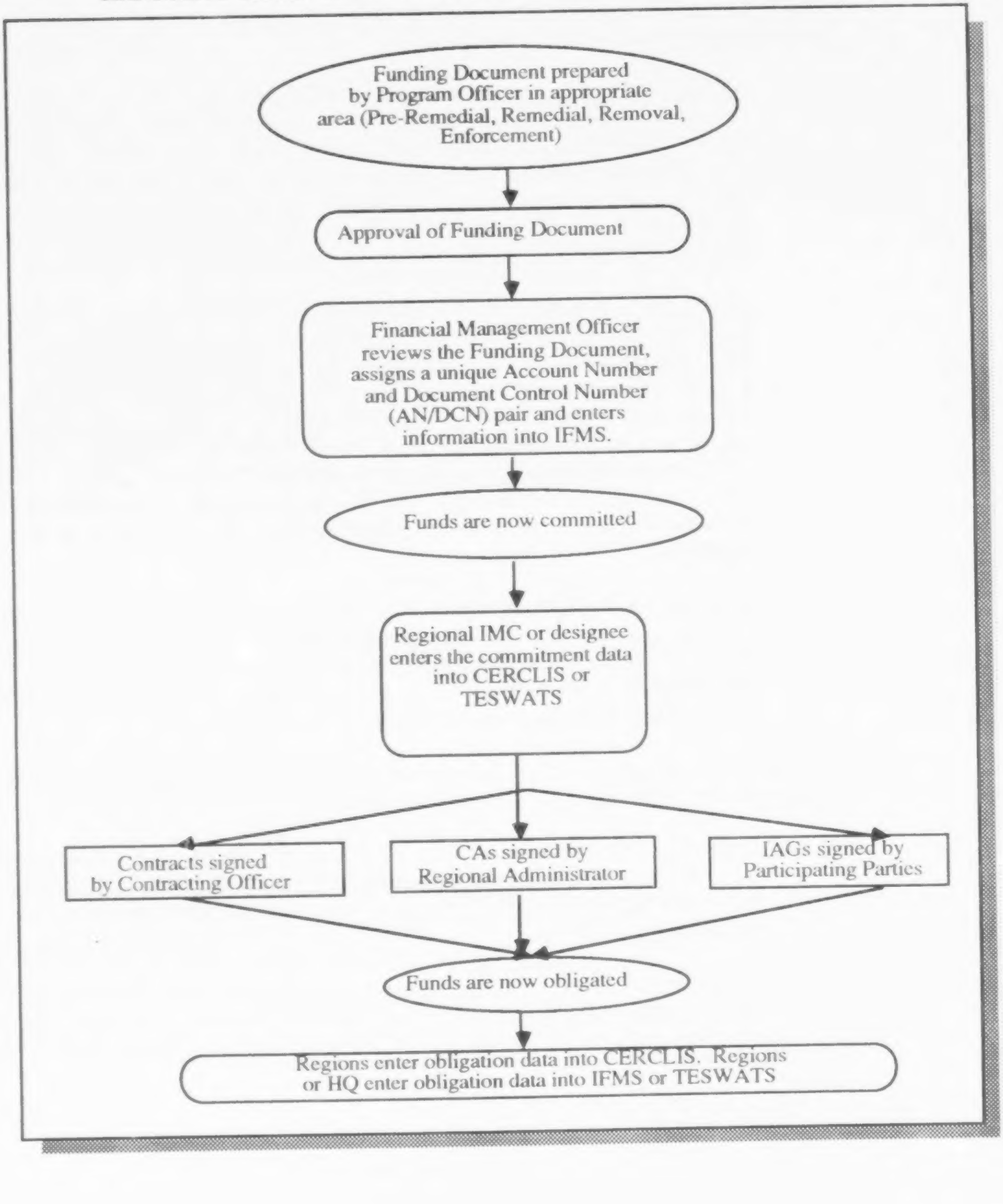
Instructions for the assignment of three-digit S/S IDs will be forthcoming.

Financial Management and Funding Processes

Regional financial authority consists of three distinct, but interrelated, parts: approval, commitment and obligation. Exhibit VI-11 indicates the process by which the regions commit and obligate funds. These funding processes are outlined below.

EXHIBIT VI-11

HANDLING FINANCIAL DATA IN THE CERCLIS ENVIRONMENT


Funding Document prepared by Program Officer in appropriate area (Pre-Remedial, Remedial, Removal, Enforcement)
Approval of Funding Document
Financial Management Officer reviews the Funding Document, assigns a unique Account Number and Document Control Number (AN/DCN) pair and enters information into IFMS.
Funds are now committed
Regional IMC or designee enters the commitment data into CERCLIS or TESWATS
Contracts signed by Contracting Officer
CAs signed by Regional Administrator
IAGs signed by Participating Parties
Funds are now obligated
Regions enter obligation data into CERCLIS. Regions or HQ enter obligation data into IFMS or TESWATS

Approvals

Authority to approve pre-remedial, removal, remedial and enforcement activities is contained in the Superfund delegations package. An approval by the Assistant Administrator of the Office of Solid Waste and Emergency Response or Regional Administrator, as appropriate, is an authorization to undertake a CERCLA-funded response action. Examples of these approvals include Removal Action Memoranda and SCAP submissions. A site/activity must be approved before any commitments can be made.

The following paragraphs highlight the region's financial management authority and responsibility in the removal program:

- Approval Authority. In accordance with Delegation 14-1-A, the Regional Administrator has the authority to approve removal actions costing up to $2,000,000 at National Priorities List (NPL) sites or non-NPL sites and may grant exemptions to the twelve-month statutory limit. In addition, Regional Administrators may re-delegate to the On-Scene Coordinators (OSCs) the authority to approve actions costing up to $50,000 in emergency situations where an expeditious response is required.

- Action Memorandum. Except in emergency situations, before a removal action can begin, an Action Memorandum must be approved. The Action Memorandum must document that the release meets the criteria of CERCLA, as amended, and the National Contingency Plan (NCP). In addition to the technical data, the Action Memorandum, must include, to the extent practicable, an estimated total project ceiling. The OSC uses the estimate of the duration and cost of the removal actions in order to determine the proper approval authority. The OSCs or other Ordering Officers are responsible for obtaining all necessary Regional Office approvals and signatures.

  Generally, the Action Memorandum is prepared prior to initiating response activities. In extreme emergencies, however, the OSC may initiate activities under his or her $50,000 authority without preparing the necessary documentation in advance. In these circumstances OSCs must document their decision within 24 hours of initiating response.

The following paragraphs highlight the region's financial management authority and responsibility in the remedial and enforcement programs:

- Financial Approval Mechanism. Planning of remedial and enforcement program activities is accomplished by means of the SCAP. Funds cannot be committed or obligated for a remedial or enforcement activity unless it is included in the SCAP.

- Obligations made at events which are planned on an operable unit basis must be planned and executed on an operable unit basis. Outlays resulting form the obligations should also be attributed to the appropriate operable unit.

- Record of Decision (ROD). A ROD is required for all RD and RA activities. The ROD, signed by either the Regional Administrator or the AA SWER, documents the Agency's remedial alternative decision-making process and demonstrates that the requirements of CERCLA, as amended, and the NCP have been met. The ROD also provides the basis for future cost recovery actions that may be taken.

Commitments

Once the regional Funds Certifying Officer certifies the availability of funds, a spending action becomes a commitment, which is a reservation of funds but not a legal promise to pay a supplier. Commitments which have not yet been processed are called open commitments until they become obligations.

There are two types of commitment documents: the Procurement Request (PR) and the Commitment Notice (CN). The PR is used to commit funds for contracts; the CN is used to commit funds for Cooperative Agreements (CAs) and reimbursable Interagency Agreements (IAGs).

Obligations

Unlike a commitment, an obligation legally binds the government to pay a supplier for delivery of goods or services. Thus, once funds are obligated, the region may no longer release the funds for another purpose.

A contractor, another agency or state cannot start work until the funds have been obligated. In addition funds may only be used for the purpose for which they were obligated under the contract, IAG or CA, and may not be transferred to another activity and/or site within the contract, IAG or CA without first being de-obligated.

Obligating documents must be processed in accordance with guidance issued by the Procurement and Contracts Management Division (PCMD), the Grants Administration Division, and the Financial Management Division. The majority of the contracts are currently awarded by PCMD and entered into IFMS by the Servicing Finance Office/Research Triangle Park (SFO/RTP). Certain contracting functions, particularly those related to regional contracts, have been decentralized to the regions. Obligations for CAs are entered into IFMS by the regions; for IAGs, by the Cincinnati Financial Management Center.

Recently some regions have grouped several smaller sites into a new, larger pseudo site. The purpose of these pseudo sites is to establish a mechanism for funding area-wide studies of environmental issues. This practice has caused problems for cost recovery because costs cannot be assigned directly to a given site. Additionally, by creating a new site, it is difficult to reference the older sites. These problems may be alleviated by following a simple procedure. Funds for area-wide studies can be awarded in one contract procurement request, Interagency Agreement or Cooperative Agreement. However, they must be obligated to each of the sites involved by using separate account and document control numbers. Obligations must be identified for each operable unit; particularly when PRPs exist.

Payments

Each contractor/supplier submits an invoice to the proper SFO for payment. Before the SFO may pay the contractor/supplier, it must have an obligating document and a receiving report (sent by the originating office) to verify that the work was completed or the goods were received satisfactorily. Unpaid obligations are not removed from IFMS at the end of the fiscal year. Rather, they remain in the system until paid or until the Allowance Holder or obligating official notifies the SFO that no further payments will be made against the obligation.

De-obligations

The de-obligation of funds is handled similarly to the obligation of funds. The same commitment and obligation documents and procedures are used, except that the dollar amount indicated is a reduction rather than an addition. The availability of funds after de-obligation has taken place depends on when the funds initially had been obligated. Current fiscal year funds are available for reuse within the allowance as soon as the de-obligation is effective. Prior fiscal year funds that are de-obligated revert back to HQ for redistribution. In order to reuse the prior year funds, allowance holders must request a re-certification of the funds to their allowance from the Office of the Comptroller in coordination with the Office of Solid Waste and Emergency Response (OSWER).

Regions should review the financial status of all contracts, IAGs and CAs regularly. If all activities requested have been completed, and there are funds outstanding, the region should follow the procedures outlined above to de-obligate these funds immediately to make them available for other activities.

Financial Management Funding Mechanisms

EPA uses a variety of funding mechanisms to carry out CERCLA-funded response actions. Included in these are the following:

Contracts

Superfund contracts are awarded through standard procurement procedures (see the Office of the Comptroller's Resources Management Directives Systems 2550C Chapter 2 and the EPA Contracts Management Manual, or refer directly to the directives prepared for each contract). Exhibit VI-12 contains information on the procurement forms used for most Superfund contracts. The unique aspect of Superfund contract processing and financial tracking stems primarily from the need to associate contractor costs incurred with specific Superfund sites in order to assist in the cost recovery process. Cost recovery negotiations with PRPs or court actions require careful documentation of Federal costs incurred at each site/spill. The following paragraphs describe key financial management processes for each of the primary categories of Superfund contracts.

EXHIBIT VI-12

EPA FORMS COMMONLY USED FOR SUPERFUND PROCUREMENTS

EPA FORM NO.	FORM NAME	PURPOSE	COMMENTS
1900-8	Procurement Request/ Purchase Order	The Agency's basic form for requesting a procurement of any goods or services to commit funds before obligating funds on any of these documents. Must be certified by funds commitment clerk.	This form is the basis for entering a commitment in IFMS. The FMO enters an obligation only upon receiving a contract document or purchase order.
1900-48	Order for Services - Emergency Response to Hazardous Substance Release	Used by On-Scene Coordinators (OSCs) to obligate funds and contract for services (up to $2,500) from commercial firms or a state or local government (if site not owned by state or subdivision at time wastes were disposed of) to respond to a release.	Results in a firm, fixed-price contract. No price adjustment may be made for work stated in contract. Contractor may submit only one invoice. FMO will process contract as an obligation.
1900-49	Notice to Proceed with Emergency Response to Hazardous Substance Release	Used by OSC to authorize a contractor to begin work on an emergency response (up to $10,000 per incident). Negotiation of definitive contract and any modifications performed by HQ Contracting Officer.	A preliminary contractual instrument that must be made final by a designated Contracting Officer in HQ. FMO will process notice as an obligation.
1900-56	Letter contract for State, Indian Tribal Governments, or Local Government Response to Emergency Hazardous Substances Release	Used by OSC to procure services from a state, local or Indian tribal government to begin work on an emergency response (up to $10,000 per incident) if site was not owned by state or subdivision at time of hazardous waste disposal. Negotiation of definitive contract and any modifications performed by HQ Contracting Officer.	Results in a cost reimbursement type agreement with a State, local or Indian tribal government. It is a preliminary contractual instrument that must be made final by a Contracting Officer in HQ. The appropriate FMO will process a letter contract as an obligation.
1900-59	Delivery Order for Emergency Response Cleanup Services	Used by OSCs to order services (up to $250,000) from the ERCS contractor to respond to a release. All modifications and obligations over $250,000 will be processed by the HQ Contracting Officer.	Has time and material provisions, but uses fixed rates negotiated in ERCS contract. Order must be made final by a designated Contracting Officer in HQ. FMO will process orders as an obligation.

- Site-Specific Removal Contracts. Site-specific removal contracts are obligated and tracked on a site-specific basis in the Agency's IFMS. Removal cleanup contracts may be awarded on a zone-, region- or site-specific basis. These include the Emergency Response Cleanup Services (ERCS) and mini-ERCS contracts.

    -- Commitment of Funds. The Procurement Request (PR) is used to commit funds for contracts. OSCs or other Ordering Officers prepare the PR for the site portion of the contract and obtain all necessary regional office approvals and signatures. They send the document to the SFO for certification of funds and addition of accounting information (account number, appropriation number and document control number). The SFO must also check that the action has been approved. The regional SFO enters the commitment into the Automated Document Control Register (ADCR) and IFMS.

    -- Obligation of Funds. Site-specific removal cleanup contracts are obligated by the regional Ordering Officer (generally the OSC), the mini-ERCS Contracting Officer or at HQ. Obligational authority is determined by the type and amount of the contract. Although a PR is generally prepared in advance of the obligating document for removals, these documents may be processed simultaneously or out of sequence, due to the urgent nature of removals. OSCs have the contractual authority to obligate up to $250,000 via a Delivery Order under an existing contract; however, regions have limited this authority to $50,000. For contract amounts over this authority, the OSC forwards the obligating document to the Regional Administrator for approval and to Procurement and Contracts Management Division (PCMD) or the mini-ERCS Contracting Officer for obligation and processing. The SFO/Research Triangle Park (RTP) enters the obligation into IFMS for all contracts.

    -- Invoice Processing. The OSC or Deputy Project Officer reviews the site portion of contractor invoices and signs a statement indicating that the services for which the contractor is invoicing have been provided. The OSC forwards the certified copy of the invoice within five days to the SFO/RTP for processing and payment.

    If the OSC disallows any charges, copies of the invoice should be sent to the Contracting Officer, along with an explanation for disallowing the costs. When a disputed charge cannot be settled with the contractor, the OSC prepares a memo/letter with a copy of the voucher and sends them to the Contracting Officer. The OSC sends the original voucher with a copy of the letter to RTP. Additional guidance for processing site-specific contractor invoices are included in the "Removal Cost Management Manual", "Superfund Removal Procedures" manual and the "ERCS Users Manual."

- Site-Specific Remedial Contracts. Site-specific remedial contracts refer to those which are obligated site-specifically. Remedial contractors provide site-specific support for RI/FS, RDs and RAs at individual NPL sites, as well as general management support to EPA HQ and regions. Both large, national contracts as well as smaller, region-specific contracts, e.g. Alternative Remedial Contracting Strategy (ARCS) contracts are in place. Site-specific remedial contracts are obligated and tracked on a site-specific basis in the Agency's IFMS.

  -- Commitment of Funds. To commit funds, the regional Program Office prepares the PR for site-specific activities, obtains all necessary regional Program Office approvals and signatures, and forwards the approved document to the regional SFO for certification of funds availability and the addition of accounting information (account number and DCN). The Regional SFO enters the commitment into IFMS. For region-specific contracts, e.g., ARCS contracts, the basic contract is prepared in HQ and contract modifications are processed in the regions.

  -- Obligation of Funds. Site-specific remedial contracts are obligated by PCMD in HQ or the ARCS Contracting Officer in the regions. These obligations represent contract modifications which must be processed in accordance with guidance issued by PCMD. PCMD or the ARCS Contracting Officer distributes the processed obligating document, and the SFO/RTP enters the obligation into IFMS.

  -- Invoice Processing. Site-specific remedial contractors will provide copies of their monthly invoice or voucher for payment to the Contracting Officer and the regions for review. For HQ contracts, RPMs have five days to review the invoice. If the invoice accurately reflects contractor activities, the RPM will inform the PO that the voucher is consistent with the service provided. If the RPM identifies a problem, it should be reported to the appropriate HQ Project Officer for resolution. The HQ Project Officer will resolve any problems, certify that the voucher is consistent with the services provided, and forward the invoice to the SFO/RTP for processing and payment.

  In the case of region-specific contracts, e.g. ARCS, the RPM and/or the RPO is responsible for processing the invoices, resolving any problems and forwarding the invoices to RTP.

- General Site Support Contracts. This category includes contracts which are not obligated on a site-specific basis. These contracts create a pool of contract labor capable of providing broad technical and planning support to any removal, pre-remedial, remedial or enforcement site on an "as needed" basis. Examples of this type of contract include, but are not limited to: the Field Investigation Team, Technical Assistance Team, Contract Laboratory Program, and the Environmental Services Assistance Team. Because these types of contracts are administered by HQ, they will not be discussed in detail in this document.

General site support contractors must submit with each invoice a site-specific attachment, which details the costs incurred at each site with an EPA S/S ID. The site-specific attachment must include the invoiced costs for each of the following categories:

- Each site with an EPA S/S ID
- All other sites, i.e., those without an EPA S/S ID, on one line item per region
- Program management
- Base and award fees
- Non-site activities, identified separately, such as training of state personnel or coordination of regional activities
- Non-Superfund costs, as applicable, on one line item per appropriation.

The contractors submit original invoices to RTP and advance copies to the HQ Project Officer simultaneously. The Project Officer reviews the invoice and the site-specific attachment for reasonableness of the site-specific charges. In some cases, the RPOs and DPOs will conduct a concurrent review of the invoice.

- Enforcement Contracts. The Technical Enforcement Support contracts are a combination of the general site support contracts and the site-specific removal/remedial contracts. The TES contracts are not obligated on a site-specific basis, however, the regions issue work assignments against the contract labor pool on a site-specific basis. Site-specific work assignments are not entered into IFMS.

    - Commitment of Funds. The RPM in the region prepares the work assignment for site and non-site specific activities, obtains all the necessary regional Program Office approvals and signatures and forwards the approved document to the RPO for processing. The RPO enters the work assignment into TESWATS.

    - Obligation of Funds. In TES 5+, the regions are provided funds within their Advice of Allowance which are obligated non-site specifically against the contract to provide capacity for technical and planning support. HQ performs this function for the TES 3 and 4 contracts. After the regional RPO processes the site-specific work assignment it is approved by the HQ Contracting Officer in PCMD. Approved work assignments are so noted in TESWATS.

    - Invoice Processing. TES contractors provide copies of their monthly invoice to the regions through FMD for review. The invoice must be submitted with a site-specific attachment, similar to the general site support contracts, which details the costs incurred at each site. For TES 3 and 4, if the invoice is correct, the RPO certifies that the invoice is consistent with the services provided and forwards the certification to OWPE for processing and payment. If the RPO identifies a problem, it should be reported to the appropriate HQ official in OPWE for resolution. Under the TES 5+ contracts the RPO is responsible for processing the invoices and resolving any problems.

- General Program Support Contracts. This group of contracts provides general program management support to HQ and regional Program Offices. These contracts are not for site-specific work and are not obligated site-specifically. They are administered totally by HQ and will not be discussed in this document.

- Contract Transition. By FY90, the Superfund program will have completed the transition from relying solely on the major REM and TES contracts to the more competitive ARCS contracts. As REM contracts approach the end of the contracting periods, the regions will be shifting unfinished or new work assignments to the ARCS contracts. These actions may require the de-obligation of prior year funds. Normally, prior year de-obligations are returned to Agency reserves for later use. For de-obligations related solely to changes in contract vehicles, re-certification of these prior year de-obligations will be executed with minimum overlap and the amount de-obligated will be reissued to the region in the next regularly scheduled AOA. Annual budget ceilings will be increased when funds are recertified. The procedures for de-obligation and re-certification of the funds are as follows:

  -- The region identifies the amount to be transferred.

  -- If the amount to be transferred exceeds $1 million for either a specific site or an accumulation of sites, the region will contact OSWER with the total dollar need and request approval to proceed.

  -- If the total need is under $1 million or OSWER has been contacted, the region will prepare and forward the de-obligating PR to PCMD.

  -- A package of information should be sent to OSWER at the same time. It should include: 1) a copy of the contract modification/procurement request de-obligating the funds; 2) a list of the sites (by activity) where the funds are being withdrawn; and 3) a list of the sites (by activity) where the funds will be obligated. This package should be sent to the Budget and Administration Section, Resource Management Staff, OSWER (OS-110).

  -- OSWER will submit a change request to the Office of the Comptroller for a dollar amount not to exceed the proposed de-obligation.

  -- The Office of the Comptroller will issue these funds in the next regularly scheduled AOA.

  -- The region will prepare and forward to PCMD documents to obligate the funds.

Interagency Agreements

An Interagency Agreement (IAG) is a written agreement between Federal agencies under which goods and services are provided. The Superfund program uses Disbursement IAGs and Allocation Transfer IAGs to request that certain Federal agencies assist with site cleanups and associated activities and provide ongoing support or services. The IAG specifies the services required and identifies the method of payment.

- Disbursement Interagency Agreements (IAGs). Disbursement IAGs are agreements in which another Federal agency provides goods or services to EPA. This category of IAG is similar in concept to obtaining goods or services from a contractor. Superfund program staff prepare IAGs to pay other agencies for work performed at a specific Superfund removal, remedial or enforcement site and for non-site specific activities. EPA pays the other agency either by advance payment or by payment following work performance (repayment). The regional Program Office initiates and manages site-specific IAGs. The Assistance Administration Unit (AAU) in the regional Management Division typically approves and awards site-specific IAGs. The exception is U.S. Coast Guard-lead removal IAGs, which are negotiated, approved, awarded, and managed at HQ.

  -- Commitment of Funds. The regional Program Office determines whether assistance from another Federal agency is needed. The regional SFO determines the availability of funds, upon request from the regional Program Office. The regional Program Office then prepares the IAG funding package, consisting of a Commitment Notice (CN), a transmittal memorandum, EPA Form 1610-1, which is the IAG itself, and a Decision Memorandum, which verifies legal authority for the IAG. The Decision Official in the regional Program Office reviews and approves the IAG. The staff of the AAU then conducts an administrative review of the funding package. The SFO adds accounting data and enters the commitment in the Document Control Register (DCR) as well as into IFMS. The regional Program Office establishes and maintains the official site file(s). The AAU establishes and maintains the official financial file.

  -- Obligation of Funds. Following pre-validation of the commitment, the AAU obtains an IAG number from Headquarters Grants Administration Division (GAD) by E-Mail. The Action Official (the Regional Administrator or his/her designee) signs the IAG. The AAU then sends the signed IAG to the other agency for signature. An obligation is created when the IAG has been signed by both agencies. The AAU distributes the executed IAG to the regional program office, the GAD, and the Cincinnati Financial Management Center (CFMC), where the obligation is recorded in IFMS.

  -- Payments. If the performing agency does not have OMB-approved reimbursable authority, the CFMC pays that agency for EPA prior to execution of the agreement activities. For those agencies that do not require advances, the regional Program Office certifies that charges are accurate following execution of the activities. There are three ways in which EPA accomplishes exchange of funds for IAGs: the Simplified Interagency Billings and Collection system (SIBAC), the On-line Payment and Collections system (OPAC), and check payments. When the OPAC or SIBAC system is used, funds exchange occurs prior to regional Program Office certification; however, the regional Program Office may request adjustments when necessary. For payment by check, the performing agency submits vouchers to the CFMC, who forwards them to the regional Program Office. The regional Program Office reviews and certifies the vouchers and then returns both the voucher and the certification form to CFMC for processing and payment.

-- Closeout. The regional Program Office is responsible for managing pre-closeout activity. If all work has been completed, the regional Program Office accepts the final report from the other agency and initiates closeout procedures. The AAU queries the regional Program Office when the project period has expired or when there has been no project activity for two quarters. If the AAU requests a project status determination, the regional Program Office determines whether the IAG should remain open/extended or be closed, and notifies the AAU.

When no further activity will occur under the IAG (e.g. project completed, funds availability period expired, funds expended, unsatisfactory/incomplete work product) and final invoices have been certified, the regional Program Office prepares a written closeout request and sends it to the AAU. The AAU then determines from CFMC that the IAG is financially closed out and closes out the IAG by sending a closeout letter to the other agency and notifying the regional Program Office and GAD. Both the regional Program Office and the AAU then remove the appropriate files from active status and retain them a minimum of six years. Disposal of the files is subject to regional Program Office approval.

When applicable, within thirty days of completion of work under the agreement, the regional Program Office prepares, or obtains from the other agency, a final inventory and disposition recommendations for non-expendable property. The regional Program Office forwards a copy of this report to the appropriate property management office in the regional Management Division.

- Allocation Transfer IAGs. Allocation Transfer IAGs transfer obligational authority from EPA to the designated agency at the appropriation level. The funds are transferred to the other agency from an EPA allowance via EPA's Transfer Allocation account. This IAG mechanism is similar to the Comptroller providing allowances to EPA Program Offices to carry out specific functions; however, transfers occur at the appropriation level. Obligations and payments are made by the other agency and are reported monthly to EPA.

Interagency agreements with FEMA for permanent or temporary relocations are allocation transfer IAGs. The regional Program Office, in conjunction with the AAU in the regional Management Division, typically initiates, approves, awards, and manages site-specific Allocation Transfer IAGs. Implementation of an allocation transfer IAG must be in accordance with Department of Treasury procedures and can only be used with prior approval from the Office of the Comptroller.

-- Initiating the IAG. The regional Program Office initiates the IAG. After developing a preliminary cost estimate with the other agency, the regional Program Office prepares the funding package which includes EPA Form 1610-1, a transmittal memorandum, and the Decision Memorandum. The Decision Official in the regional Program Office reviews and approves the funding package and submits it to the AAU. The AAU obtains an IAG number from GAD by E-Mail and conducts an administrative review. The GAD enters IAG data from the E-Mail request into the Grants Information Control Systems (GICS). The Action Official (the Regional Administrator or his/her designee) conducts a final review and signs the IAG package. The AAU submits the IAG to the other agency for signature. The AAU distributes the executed IAG to the regional Program Office, to the GAD, and to the Office of Comptroller. Upon initiation of the IAG, the regional Program Office submits a change request to the Budget Formulation and Control Branch in the Office of the Comptroller, so that the funds can be set aside in a HQ transfer account. The appropriate program's allowance is then reduced to reflect the transfer to the receiving agency.

-- Transfer of Funds. The executed IAG serves to transfer obligational authority to the other agency. Once the IAG is signed, and upon receipt of a change request from the regional Program Office, the Budget Division in the Office of the Comptroller withdraws funds from the region's allowance and transfers the funds to the EPA Transfer Allocation account for future transfer to the designated agency. The Financial Reports and Analysis Branch executes the transfer from EPA to the performing agency.

-- Financial Monitoring. The performing agency is required to submit: 1) monthly reports via SF133, "Budget Execution," on obligations and expenditures during the period to EPA's Financial Management Division and 2) periodic status reports to the regional Program Office and the HQ Superfund Budget Branch. The IAG also requires the other agency to maintain records and documentation by site and submit them to EPA upon request. The regional Program Office reviews progress reports and acts on them as necessary.

-- Closeout. The regional Program Office closeout procedures for an Allocation Transfer IAG are the same as those for Disbursement IAGs. Since there are no billing transactions, outstanding invoices or payments are not a concern; however, to determine that the IAG may be financially closed out by the Office of the Comptroller, the AAU asks the EPA Inspector General to request the other agency's Inspector General to determine the financial status of the IAG. Both the regional Program Office and the AAU then remove the appropriate files for that IAG from active status and retain them a minimum of six years. Disposal of the files is subject to regional Program Office approval.

For further information on Regional IAGs, see the Regional Interagency Agreements Handbook, October 1988.

Cooperative Agreements (CA)

A CA is the instrument EPA uses to provide assistance to states, political subdivisions or Indian Tribal governments in conducting pre-remedial, remedial, removal, enforcement and program and project support activities. CAs provide funding assistance to the state, political subdivision, or Indian Tribal governments, documents responsibilities and obtains state assurances. CAs must be approved by the Regional Administrator or designee. The steps for developing and managing the financial aspects of a CA in the region are outlined below.

- Commitments. The regional Program Office prepares the CN and obtains all necessary program approvals and signatures to commit funds for the CA. The regional Management Division certifies the availability of funds, assigns the accounting data, sets aside the required funds on the DCR and enters the commitment into the IFMS. The regional AAU assigns the CA identification number.

- Obligations. The signature of the Regional Administrator, or his/her designee, obligates CAs. The regional Management Division is responsible for processing obligations in accordance with the guidance issued by PCMD, GAD and FMD, and for entering the obligations into the DCR and IFMS.

- Letter of Credit. If a state environmental agency, political subdivision or Indian Tribal government does not have an established consolidated Letter of Credit (LOC) with EPA, one should be established. The LOC is the preferred method for providing Superfund payment assistance to states, political subdivisions or Indian Tribal governments. The CA recipient "draws down" funds from the appropriate credit account at the Federal Reserve Bank to cover EPA's share of immediate cash needs for each activity approved in the CA.

  The state, political subdivision or Indian Tribal government may only draw down funds from the LOC for work authorized for specific sites and/or activities. The total drawdown may not exceed the amount obligated for each activity and/or site in the CA. Drawdowns must be made proportionally to the amount of work completed, and may only be made for the EPA share of project costs. If funds obligated for a specific site or activity have been exhausted, the recipient may not draw down from another account number within the consolidated LOC.

  The regional Management Division reviews drawdowns on a monthly basis and determines whether the account structure established in the CA is being followed and that the drawdowns are only large enough to cover immediate (usually one month) cash needs. The account from which drawdowns were made, identified in the IFMS Outlay Report or state quarterly report, must match the activities being undertaken.

- Financial Monitoring. On a regular basis, the RPM should review the IFMS Outlay Report and the quarterly progress report prepared by the state, political subdivision or Indian Tribal government. The review should determine that drawdowns at the site correspond to technical progress.

- De-obligations. De-obligations of funds are handled similarly to obligations of funds. The same commitment and obligation documents and procedures are used, except that the dollar amount indicated is a reduction rather than an addition. The availability of funds following de-obligation depends on when the funds were obligated initially. Current fiscal year funds are available for reuse within the allowance as soon as the de-obligation is effective. Prior fiscal year funds that are de-obligated revert to HQ for redistribution.

  In order to reuse prior fiscal year funds:

  -- The Allowance Holders must submit a request to re-certify the funds to their allowances;
  -- OERR will evaluate the request based on the approved SCAP and will recommend distribution of funds;
  -- The Office of the Comptroller must approve the request; and
  -- The request must be approved and a reapportionment obtained from the Office of Management and Budget.

  Regions should regularly review the financial status of all cooperative agreements. If all activities to be conducted under the agreement have been completed and there are funds outstanding, the region should follow the procedures above to de-obligate these funds or transfer them to another site or response phase. The transfer of funds under a CA is discussed below.

- Transfer of Funds. Under a multi-site CA funds can be transferred from one site to another site. This transaction is called a 'transwitch' and requires a formal CA amendment. The CA amendment must show the transfer of funds from one site to another by changing the accounting information on the funds being transferred to reflect the new site. CA funds can also be transferred from one remedial response phase to another remedial response phase at the same site. Again, a formal CA amendment is required in order to change the accounting information to reflect the actual response activity being performed.

For additional information on the financial management of CAs, refer to the Resources Management Directives Systems 2550D, Chapter 9, and the State Participation in the Superfund Program guidance, Chapters 7 and 10.

Superfund State Contracts (SSCs)

When EPA or a political subdivision has the lead for a remedial action, the instrument used to describe the state's role is a Superfund State Contract (SSC). An SSC is a legally binding agreement that provides the mechanism for obtaining required state cost share and other assurances, outlines the statement of work for the response action and also documents responsibilities for remedial implementation at a site. When a political subdivision has the lead for a remedial action, the SSC is signed by EPA, the state and the political subdivision. The SSC does not obligate funds; funds for Federal-lead projects must be obligated through an EPA procurement request with a contractor or an Interagency Agreement with another agency. Funds for political subdivision response actions are provided through the CA.

- SSC Requirements. An SSC is required to be in place before EPA or the political subdivision can begin a remedial action funded by the Superfund. An SSC must contain several state assurances. One is that the state will pay its cost share for response actions. The state cost share is ten percent for privately operated sites. For publicly operated sites, the state cost share is 50 percent and is required for prior removal, RI/FS and RD activities as well as the RA. In addition to cost share assurances, SSCs must contain state program assurances and must also include a tentative payment schedule.

- SSC Development. The SSC is developed by the regional Program Office. The RPM/RPO must insure that, in addition to program assurances, the financial cost share requirements and payment schedule are included in the SSC.

- Accounts Receivable. Like a CA, an SSC requires state cost share. To cover its share of remedial costs under an SSC, the state may be required to provide cash payments to EPA. Following execution of the SSC, the RPM/RPO must immediately forward a copy of the executed SSC to the regional Management Division for necessary accounts receivable processing. The RPM/RPO is also responsible for forwarding immediately to the regional Management Division any SSC modifications that may affect the payment schedule.

- Payment Schedule. The state cost share must be received and recorded in IFMS before EPA will pay for the work to which the state is contributing funds. Therefore, state payments should be scheduled approximately two weeks ahead of the anticipated outlay date to allow for administrative processing. If a remedial action occurs in several phases the payments may be spread out accordingly. In this situation, the SSC will schedule the respective state payments to ensure deposit in the Treasury and recording in IFMS no later than EPA's obligation of funds for each phase.

- Billing. Thirty days prior to the date on the SSC payment schedule, the regional Management Division will send to the state a notice of the amount required and the due date. The SSC, and any invoice to the state requesting payment, must include the requirement that payments be sent to the regional Superfund lockbox address. The regional Management Division will reference the SSC, including the EPA site name and identifier, on the invoice. The Division will also require the state to include a copy of the invoice with any remittance sent to the regional Superfund lockbox address.

- Receipt of Payment. If EPA does not receive the requested funds by the date on the payment schedule, the regional Management Division will notify the RPM/RPO immediately. The RPM/RPO is responsible for follow-up with the state and will keep the regional Management Division advised. No interest will accrue on the invoiced amount, because the state cost share is not a debt to the Agency, but rather an advance payment. The region deposits its cost share in the Trust Fund and receives in return a reimbursable allowance.

- Closeout. The RPM/RPO is responsible for notifying the regional Management Division when it is time to close out the specific remedial action. The regional Management Division will reconcile the financial data on the Federal-lead action.

For additional information on financial management responsibilities related to SSCs, refer to the Resources Management Directives Systems 2550D, Chapter 9 and State Participation in the Superfund Program guidance, Chapter 7.

Cost Recovery/Cost Documentation

CERCLA, as amended, imposes liability on responsible parties for the cost of responding to releases or threatened releases of hazardous substances from hazardous waste sites or spills. When these PRPs fail to clean up sites on their own, EPA may perform the cleanup and later attempt to recover the clean-up costs from the parties. Obtaining reimbursement for these costs through judicial action is one of the chief goals of the Superfund program.

Cost recovery documentation is performed by a case development team comprised of representatives from the Office of Regional Counsel (ORC), the regional Program office and the regional Servicing Finance Office. The involvement and distribution of responsibilities of each of these offices during the cost recovery process does vary within each region. The sequence of activities is provided as a guide. The cost recovery process, which is typically completed within an eight week time frame, is briefly described below:

- Initiation of Cost Recovery Process. The regional Program Office prepares and submits the Cost Recovery Checklist to OWPE through the Regional Cost Recovery Coordinator (RCRC) to initiate the HQ documentation process. The checklist is also submitted to the regional SFO to begin the documentation process for regional Superfund site-specific costs. Among other things, the checklist prescribes the date through which costs are to be documented and the date documentation is required by the Case Development Team.

  The RCRC obtains the cost documentation package from OWPE and the SFO and prepares a "merged" cost summary (if this is not done by the regional SFO). The RCRC also requests site-specific reports generated by REPORTER, formerly Software Package for Unique Reports (SPUR), from the SFO which provide the cost basis for negotiations with potentially responsible parties. **IN FY90, THE HQ RESPONSIBILITIES WILL BE DELEGATED TO THE REGIONS.**

- Cost Documentation and Reconciliation. Cost documentation and reconciliation involve collecting and reviewing required documentation to ensure that accounting and cost information are recorded correctly, that costs are properly chargeable, that account numbers refer to the appropriate site, and that costs on the documents are reflected accurately in IFMS. The regional SFO documents regional Superfund site-specific costs and prepares the regional office cost summary; computes indirect costs; provides expert and factual financial witness testimony; provides assistance to legal and program staff interpreting financial documents and REPORTER reports, and provides CA cost documentation.

The Office of Regional Counsel reviews the final cost summary and documentation package in preparation for litigation and takes appropriate actions pursuant to the Privacy Act and regulations concerning Confidential Business Information to ensure that protected information is not released.

- Site File Maintenance. Diligent maintenance of the site files is crucial to cost recovery and is the responsibility of the regions. Site-specific financial files should be maintained by the Financial Management Officer until such time as cost recovery action is initiated or a minimum of six years. The cost recovery financial documentation case file should be maintained by the RCRC until this cost documentation is required by the litigation team.

HANDLING FINANCIAL DATA IN THE CERCLIS ENVIRONMENT

The implementation of IFMS will affect the handling of financial data in CERCLIS. This process has not been developed yet. The Manual will be updated when procedures have been completed.

Entering Remedial/Removal Data into CERCLIS

Once the funding document has been processed by the region, the planned financial data must be replaced by the commitment or obligation data. The "P" in the financial type field in CERCLIS must be changed to a "C" (commitment) or an "A" (actual obligation) and the funding amount in CERCLIS and on the funding document must agree. If a region wants to retain planned financial data, it must enter the planned obligation into CERCLIS with a regional financial type of "X", "Y", or "Z". In any event, the financial type code of "P" cannot remain in the system once the funds are committed or obligated. Failure to replace the "P" could cause 1) the region to exceed its annual budget which will result in withholding AOA approval or 2) a reduction in next quarter's AOA.

At this time, certain data are optional for entry into CERCLIS or CERHELP by the regions. These include commitment/de-commitment or obligation/de-obligation date and amount, financial type and contractor name. Regions are not required to enter outlay or credit information into CERCLIS.

Entering Enforcement Case Budget Data into CERCLIS

The region will be responsible for entering obligations/tasking (WAs issued) into CERCLIS. For IAGs that support enforcement activities, regions will have to post the AN/DCN in the financial notes. For all TES actions, TESWATS will produce a weekly report listing actual WAs issued (CO sign off). This information is to be posted into the current year obligation field in the CERCLIS financial field record. Each transaction for each WA will be entered into CERCLIS as a separate record. It is expected that TESWATS will provide an automated upload to CERCLIS shortly. All regional transactions should be entered on a real time basis or, at a minimum, by the 7th of the following month. The regions are responsible for verifying the information in IFMS and CERCLIS for obligations or de-obligations and outlays incurred.

To ensure that all appropriate financial data are reflected in CERCLIS, the following information should appear on obligation documents: EPA ID number, site/spill ID number, CERCLIS Event or Enforcement activity codes and OU number, WA number, and dollars.

A crosswalk is provided in Appendix C displaying the relationship between CERCLIS Enforcement activities, Remedies and Events and their corresponding codes.

ANs must be established for each transaction before commitment and obligation. A CA is considered obligated when it is signed by the Regional Administrator. An IAG is considered obligated when it is signed by the other agency. Contracts are considered obligated when the CO signs the obligating document or, in the case of a TES WA, when the CO signs the WA. Regions are also responsible for reviewing and recommending payment of the invoice/voucher (outlays) for these mechanisms. Once invoices are paid, these dollars are entered into IFMS. If the obligation was generic and the invoice is site-specific, IFMS shows the funds de-obligated from the generic account and obligated and disbursed from the site-specific account.

IFMS to CERCLIS Financial Data Transfer

On Thursday of each week, an automated transfer of selected financial data from IFMS to CERCLIS and CERHELP will take place. Exhibit VI-13 indicates the removal and remedial financial data to be transferred.

EXHIBIT VI-13

REMOVAL AND REMEDIAL FINANCIAL DATA TO BE TRANSFERRED FROM IFMS

- Commitments and decommitments
- Obligations and deobligations
- Funding vehicle
- Outlays and credits (funding type and amount)
- Obligating document number
- Document control number

It is important for the regions to note that they are ultimately responsible for the accuracy of the CERCLIS or CERHELP data bases. Regions will have to ensure that both the planned, commitment and obligation data entered as part of the SCAP process and the actual data transferred from IFMS are accurate and current. Since IFMS is the Agency's official source of financial data, data transferred from IFMS will override CERCLIS data entered by the regions. A weekly exception report is used to aid in identifying errors or differences between IFMS and CERCLIS. Errors that have been carried over from IFMS must be corrected in both IFMS and CERCLIS.

Correcting Financial Data

The region's IFMS administrator is the only person authorized to make changes in the IFMS data base. The IMC or designee should work with the regional FMO on a regular basis to make sure that all IFMS errors are corrected. The IMC can request, on a regular basis, a report from the regional Financial Office which contains all Superfund financial transactions in IFMS. The information in this report can be compared with the funding documents and CERCLIS. Upon determining that the data on the source document was correct and were correctly entered into CERCLIS, the IMC should give the regional FMO a copy of the funding document, and any other relevant documentation, showing that the IFMS data are in error.

The Office of the Comptroller has issued standard procedures for correcting IFMS data. There are three kinds of corrections which may be needed on financial information in IFMS as shown in Exhibit VI-14.

EXHIBIT VI-14

CORRECTIONS TO FINANCIAL INFORMATION IN IFMS

- Data entry errors in IFMS.
- Changing account numbers or document control numbers that were initially entered into IFMS.
- Correcting errors in the source funding document or making other amendments to existing commitments or obligations.

IFMS data entry errors are resolved by the FMO. Errors in AN/DCN, or other information on the original funding document can only be corrected by the same process used to initially create the financial record (by a contract/PR or by amendment of the IAG or CA).

CHAPTER VII

PROGRAM MANAGEMENT AND ASSESSMENT

CHAPTER VII - PROGRAM MANAGEMENT AND ASSESSMENT

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **Report Superfund accomplishments as soon as they occur or, at a minimum, on a monthly basis through CERCLIS. HQ management bases its evaluation of regional performance on these data.**

- **Regions are responsible for CERCLIS data entry and data quality control.**

- **Regions and HQ will work together at mid-year to develop strategies for improving performance.**

- **Regions that are scheduled for an OSWER review, conduct and submit to HQ a written self-evaluation of the priority issues HQ will focus on during the review.**

- **Regions participate in the OSWER review.**

CHAPTER VII - PROGRAM MANAGEMENT AND ASSESSMENT

This chapter describes the established procedures for assessing the overall performance of the Superfund program. Specifically, this chapter:

- Outlines the objectives of Superfund's internal evaluation efforts, the process by which these objectives are met, and the tools that EPA uses in the evaluation process; and
- Provides Superfund management and staff with a quick-reference guide to their roles and responsibilities in the evaluation process.

ROLES AND RESPONSIBILITIES

HQ and the regions have different roles and responsibilities in Superfund program evaluation and management, as shown in Exhibit VII-1.

EXHIBIT VII-1

IMPLEMENTATION RESPONSIBILITIES

REGIONAL RESPONSIBILITIES

Meet quarterly SCAP and SPMS targets and solve performance problems when they arise.

Provide quarterly SCAP and SPMS data to HQ through CERCLIS.

Maintain CERCLIS data quality at high levels for Superfund program and project management.

Participate in OSWER On-Site reviews

Negotiate performance standards that provide individual accountability for quarterly targets.

Develop action strategy to recoup slipping targets.

HEADQUARTERS RESPONSIBILITIES

Provide guidance to the regions for preparing the quarterly review, the mid-year assessment, the year-end assessment, and the OSWER On-Site Review.

Identify priority issues and participate in OSWER On-Site reviews.

Implement and report on follow-up action items from the OSWER On-Site review and Superfund mid-year assessment.

Review monthly performance data reported by the regions and negotiate action strategies with regions for recouping slipping targets.

Continually assess program performance and analyze timeliness and quality of work.

Recommend resource re-allocation based on regional needs and performance.

Assure that all staff are informed of the results of performance reporting and OSWER reviews.

Identify and undertake high priority special studies.

Assure that special studies and external official reports are reflected in FMFIA documentation.

The Superfund evaluation process provides managers with a chance to meet program objectives by:

- Examining program accomplishments;
- Analyzing and discussing issues that affect the successful operation of the Superfund program; and
- Initiating changes in program operations or reallocating resources.

The strategy for assessing the performance of the Superfund program is comprised of the following parts:

- SCAP/SPMS performance evaluation with CERCLIS data;
- OSWER reviews of regional performance;
- Special studies of high-priority issues, including studies that support the Federal Managers Financial Integrity Act (FMFIA); and
- Coordination of responses to official reports prepared by the General Accounting Office (GAO) and the Office of the Inspector General (OIG).

This strategy enables management to recognize high performance, concentrate Superfund resources in those regions that demonstrate success, and provide training and technical assistance to those regions that are experiencing difficulties.

PERFORMANCE EVALUATION

The regions report their Superfund activities on a monthly basis through CERCLIS. CERCLIS monthly progress reports indicate program accomplishments for SCAP and SPMS measures on a region-by-region basis. Management bases its evaluations of regional program performance on these data. Each quarter, accomplishment data is used to support formal SCAP/SPMS performance reporting and to produce proactive memoranda. Detailed management evaluations occur at two points of the fiscal year: during the second and third quarters (mid-year assessment) and after the fourth quarter (end-of-year assessment) (see Exhibit VII-2).

The regions are responsible for data entry and data quality control. Accomplishment data for SCAP and SPMS reports are "pulled" from CERCLIS at the close of business on the fifth working day of the month. If a region has not entered its accomplishments into CERCLIS by that time, its performance will not be captured in the data pull, nor will its accomplishments be reported in SPMS reports.

Quarterly Reviews

The purpose of the quarterly review is to:

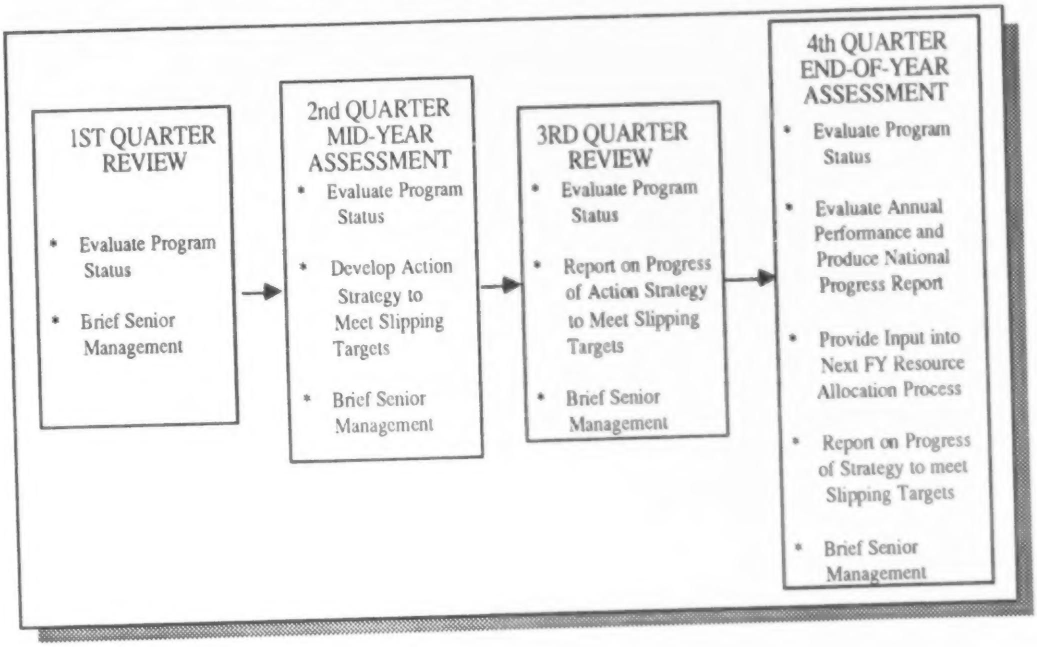
- Track regional progress toward accomplishing quarterly and end-of-year SCAP and SPMS targets;
- Identify and assess problems impacting performance soon after they arise; and

- Develop strategies for regions that are not meeting their targets.

The quarterly review process provides HQ with a way to monitor regional progress toward accomplishing program targets. On a national scale, the review process allows HQ managers to identify trends in program performance and adjust program management strategies accordingly.

EXHIBIT VII-2

THE QUARTERLY REVIEW PROCESS


1ST QUARTER REVIEW
* Evaluate Program Status
* Brief Senior Management
2nd QUARTER MID-YEAR ASSESSMENT
* Evaluate Program Status
* Develop Action Strategy to Meet Slipping Targets
* Brief Senior Management
3RD QUARTER REVIEW
* Evaluate Program Status
* Report on Progress of Action Strategy to Meet Slipping Targets
* Brief Senior Management
4th QUARTER END-OF-YEAR ASSESSMENT
* Evaluate Program Status
* Evaluate Annual Performance and Produce National Progress Report
* Provide Input into Next FY Resource Allocation Process
* Report on Progress of Strategy to meet Slipping Targets
* Brief Senior Management

Between 15 and 30 business days following the end of the quarter, after the regions have finalized their CERCLIS entries, evaluation staff brief individually the HQ and Regional Division Directors, the OERR and OWPE Office Directors, the AA SWER, and the EPA Deputy Administrator.

Mid-Year Assessment

The focus of second quarter evaluation activities is the mid-year assessment. The purpose of the mid-year assessment is to provide both HQ and the regions with an opportunity to assess performance and take appropriate action to enhance progress toward meeting annual commitments. During the mid-year assessment, management also considers the impact of regional program performance on the Superfund pipeline. The mid-year assessment begins near the end of the second quarter, when HQ and the regions examine progress made during the first five months of the year. By early March, the regions should be able to assess the progress that they have made toward meeting second-quarter SCAP and SPMS targets. By that time, they should also be able to know whether they are likely to achieve their end-of-year targets.

Preliminary performance data for the mid-year assessment are pulled from CERCLIS on the fifth working day of March and compared to data on missed targets, which were previously identified in the second quarter proactive memorandum and in second quarter targets. Based on these comparisons, HQ develops a list of regions that seem to be having trouble meeting their targets. During the following week, HQ meets with staff of each of these regions to discuss strategies for improving program performance. If these regions have not improved their performance by the end of the second quarter, a HQ team may visit each of them to assist staff in developing strategies for improving performance. HQ will advise the regions of the extent to which they should consider additional resources (e.g., contractual, personnel, technical assistance) in making their plans.

On the fifth working day of April, second quarter SCAP data are pulled from CERCLIS. The regions that CERCLIS data show have resolved performance problems and are projected to meet annual targets are then dropped from the final list of regions to visit. The OERR and OWPE Directors are then briefed on the mid-year assessment strategy. The regions are notified of their status by mid-April.

By the mid-year SPMS briefing (the second week in May), HQ divisions brief the OERR and OWPE Directors on the steps taken to ensure the accomplishment of annual targets. The mid-year assessments result in a series of agreements between HQ and the regions on actions that the regions will take either to achieve or to exceed end-of-year accomplishment targets. To ensure that these actions are implemented, HQ will: distribute action agreements to appropriate managers; track follow-up items; reallocate resources; and provide the regions with technical assistance. The results of the mid-year assessment can also affect resource allocations for the next fiscal year. This measure of a region's ability to meet their targets will be considered in July, when final FY91 SCAP/SPMS commitments and regional budgets are established.

End-of-Year Assessment

After the end of the fourth quarter, in October, HQ conducts an end-of-year assessment. This assessment is an integrated analysis of program performance activities for the year. The purpose of the end-of-year assessment is to emphasize pipeline issues. The end-of-year review also notes progress toward implementing strategies identified in the mid-year assessment and identifies regions that might require additional assistance as the new fiscal year begins.

HQ considers the end-of-year assessment in developing the preliminary budget workload model in mid-December and the mid-year SCAP negotiations that are held in February for the FY90 third and fourth quarters. In this way, the results of the end-of-year assessment have a double impact. First, the results are made available to workload model staff in December, so the staff can analyze the impact of funding factors on the success of regions to meet targets. Second, as a measure of a region's ability to meet their targets will be considered in February, when mid-year SCAP/SPMS commitments and regional budgets are adjusted to attempt to meet national targets.

OSWER REVIEWS OF REGIONAL PERFORMANCE

The OSWER review integrates the regional program review needs of OERR, OWPE, OSW, OUST, and the AA SWER's staff. An OSWER review occurs approximately every 7 to 10 weeks, so that each region is reviewed once every 18 to 24 months.

The OSWER review:

- Assesses regional performance;
- Provides HQ with each region's perspective on important program implementation issues;
- Helps solve regional problems by identifying HQ or regional actions;
- Facilitates communication among regions; and
- Discusses the relationships among OSWER programs.

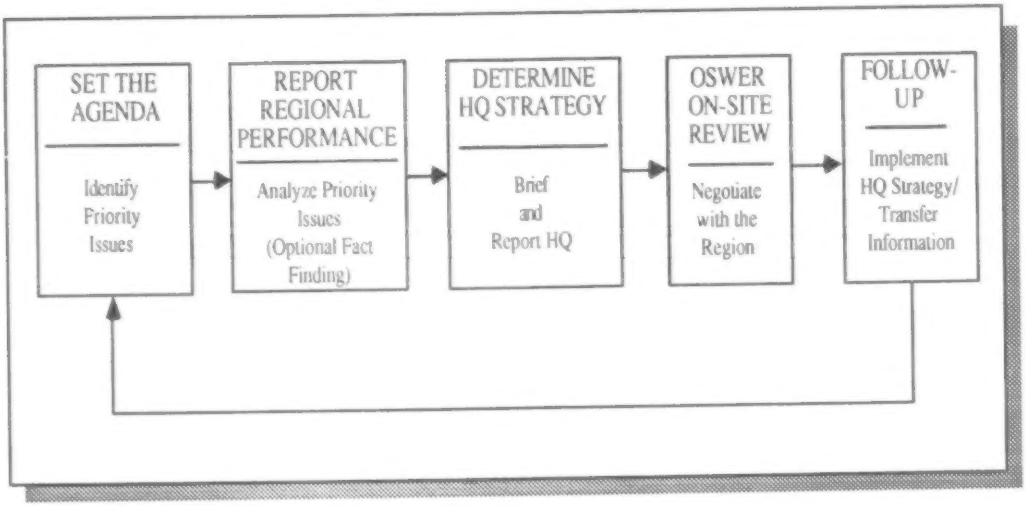
The roles of OERR and OWPE/CERCLA Enforcement Division in the OSWER review are to:

- Identify priority Superfund issues that are suitable for in-depth, on-site analysis;
- Negotiate program strategies to solve regional performance problems; and
- Facilitate communication among regions.

There are five stages to the Superfund portion of the OSWER review process (see Exhibit VII-3).

EXHIBIT VII-3

THE OSWER REVIEW PROCESS


SET THE AGENDA
Identify Priority Issues
REPORT REGIONAL PERFORMANCE
Analyze Priority Issues (Optional Fact Finding)
DETERMINE HQ STRATEGY
Brief and Report HQ
OSWER ON-SITE REVIEW
Negotiate with the Region
FOLLOW-UP
Implement HQ Strategy/ Transfer Information

Identification of Superfund Priority Issues

At the beginning of each fiscal year, HQ notifies the regions that are to be reviewed. The review process for each region begins about 10-12 weeks before the actual OSWER review, when the OERR and OWPE Office Directors hold a meeting of HQ Division Directors to identify Superfund priority issues for the review. Issues that can be dealt with through other channels of HQ-Regional communication and evaluation should not be proposed as priorities for the OSWER regional review. The Superfund portion of the reviews will be focused, analytical, and tailored to each individual region. Priority issues:

- Significantly affect regional program performance and accomplishments;
- Can be issues to be solved or successful solutions to issues from which other regions would benefit;
- Have program-wide or cross-program implications;
- Are addressed in a manner specific to the region under review; and
- Are best addressed through an in-depth site visit.

HQ review participants are selected based on their familiarity with the region's priority issues. Therefore, not all program areas are necessarily involved in every review. HQ will also actively seek to involve review participants from other regions with similar problems or successful experience in resolving the issue.

After the focus of the review has been agreed upon, the lead Division establishes a work group to define the scope of the review and provide direction. The work group should review both CERCLIS and other available data to identify any other issues related to regional performance that the review team needs to examine during the site visit. A list of the priority issues is sent to the region approximately eight to nine weeks before the OSWER review.

Assessment of Regional Performance

The region is given approximately three weeks to conduct and submit a written self-evaluation of the priority issues. The self-evaluation consists of an analysis of each issue, options, and proposed solutions.

After the work group receives the self-evaluation and completes its initial review, program staff gather additional in-depth information on priority issues. As part of this exercise, the work group conducts an on-site visit to the region approximately four weeks before the OSWER visit. The purpose of this visit is to conduct a staff-level assessment and review the facts behind the region's self-evaluation with regional staff. A report is not written at this point but regional management will have an opportunity to discuss the results of the work group's fact-finding trip in an exit conference.

Headquarters Strategy Determination

The work group briefs senior OERR and OWPE managers. HQ then develops its strategy and proposed action plans. The proposed plans focus on specific actions needed to correct weaknesses identified in the region's self-evaluation and the work group's fact-finding trip.

The OSWER On-Site Review

The OSWER on-site review provides a forum for HQ and regional senior management to have face-to-face meetings and seek agreement on solutions and negotiate specific action plans to correct problems. It also is an opportunity for understanding and documenting a region's success stories and developing an action plan to disseminate it to other regions. The emphasis of the review is on developing an action plan for the region and an action plan for HQ that identifies a limited number of key implementation items to be tracked. This action plan is incorporated into a final report.

Follow-Up

After the review is complete, HQ assigns the Divisions responsibilities for following up on the progress toward addressing problem areas. The HQ Divisions' responsibility is to make periodic reports on the region's progress on their action plans and on the progress made on HQs' action items. HQ also ensures that findings from the review are disseminated both at HQ and to the regions.

SPECIAL STUDIES & FMFIA

A special study is any in-depth review of important topics pertaining to the Superfund program. In the third quarter of every fiscal year, OERR Divisions identify Special Studies for selection by the OERR Director. Resources are then budgeted in July and August to meet these needs. These studies will be tracked through the OERR's Milestone Tracking System.

Special studies will also help fulfill annual FMFIA reporting requirements. Implementation of FMFIA is an important part of the Superfund management strategy. Compliance with FMFIA, requires manager's to:

- Evaluate their organization's goals and missions and the structure or segmentation of the organization;
- Identify and document internal control and management systems;
- Assess potential weaknesses, risks or vulnerabilities in existing systems
- Develop annually a five year Management Control Plan (MCP) to address weaknesses and to test for other weaknesses which includes the Special Studies;
- Conduct Internal Control Reviews or Alternative reviews on highly vulnerable areas of the program;
- Develop and report quarterly on corrective action plans to respond to weaknesses; and
- Report annually to Congress and the President on weaknesses and corrections.

Implementation of FMFIA and the Special Studies process are primarily the HQ Divisions' responsibility. Those Divisions receiving a highly vulnerable rating in the 1989 Vulnerability Assessments released on April 20, 1989, must conduct Internal Control Reviews (ICRs) by April, 1990. These ICRs and other significant reviews must be represented in plans for Special Studies and in the MCP for the Division. Studies contained in the MCP should also be cited in the Division's annual FMFIA report.

COORDINATION OF RESPONSES TO OFFICIAL REPORTS

The EPA OIG and the U.S. GAO issue reports that are relevant to the Superfund program. The HQ Divisions should maintain records to help in producing their responses to official reports. Within OERR, the OPM will coordinate responses to the reports and implementation of the recommendations. Regions and HQ may have to coordinate their responses, when a report's findings or recommendations have a national impact on the Superfund program. OSWER must track the implementation of actions undertaken in response to official reports. Findings and recommendations from official reports and EPA's responses to them must be considered in fulfilling FMFIA annual reporting requirements.

CHAPTER VIII

WORKLOAD MODELS

CHAPTER VIII - WORKLOAD MODELS

ONE MINUTE PROGRAM MANAGER RULES

Following are the actions regional managers must take to comply with the requirements described in this Chapter. In order to acquire a more in-depth understanding of these requirements, the Chapter itself should be read.

- **No FTE are given to projects that are incorrectly coded and scheduled in CERCLIS.**
- **A 95% allocation of resources is made in April based on preliminary negotiated SCAP/SPMS targets and schedules in CERCLIS. A final allocation is made in September based on final negotiated SCAP/SPMS targets and schedules in CERCLIS.**
- **Data quality checks used to identify response projects that will not receive FTE include:**
    - **Missing first and subsequent start and completion codes;**
    - **Missing planned start and completion dates;**
    - **Missing project leads;**
    - **Targets missed in previous years; and**
    - **Projects identified as "Alternate" targets.**

CHAPTER VIII - WORKLOAD MODELS

OVERVIEW

Regional FTE allocations are made through the Hazardous Spill and Site Response Model and the Technical Enforcement Model. Resources for the pre-remedial, remedial and removal programs are contained in the Spill and Site Response Model. Enforcement and Federal Facilities resources are in the Technical Enforcement Model.

The workload models are designed to reflect priorities and policies contained in both the budget request and SCAP/SPMS planning processes. For the most part, the workload models are a straight forward application of FTE pricing factors from the national budget to region-specific SCAP/SPMS targets and projections on the duration of activities in the remedial pipeline. **No FTE are given to projects that are incorrectly coded and scheduled in CERCLIS.**

Regional FTE allocations occur in two stages. An initial allocation is made in April based on preliminary negotiated SCAP/SPMS targets and schedules in CERCLIS. This allocation distributes 95% of the total regional Response and Enforcement FTEs contained in the Congressional budget request. The 95% level represents a "floor" for each region to allow staff planning prior to the start of the fiscal year in October. A final distribution is made in September. This distribution reflects the final SCAP and SPMS targets negotiated in August as reflected in CERCLIS plus the affects, if known, of Congressional action on the budget request.

HAZARDOUS SPILL AND SITE RESPONSE MODEL

The Response model is calibrated at five points to FTE levels found in the budget request. Each point represents a major program area (i.e., pre-remedial, removal, etc.). Those calibrations ensure that budget priorities are reflected in the distribution of resources. SCAP/SPMS targets generally represent program priorities and planning assumptions (i.e., project durations). The direct use of these targets and the use of pricing factors on a per quarter basis for longer term projects provide solid accountability to performance targets and planning assumptions. Situations may arise where application of the formulas in the workload model yield anomalous staffing changes or isolated problems. The model allows the national program manager to make discretionary adjustments to FTE levels. Reductions to meet needs of another region may not exceed 10% of any region's FTE level.

Though a majority of the model is based on SCAP/SPMS targets, where pricing factors or targets are not available FTE calculations are based on algorithms including related activities, and/or percentage shares of a given universe. For example, general program management FTE are distributed on the basis of the relative size of a region's remedial and removal programs plus an equal percentage share of total program management FTE available in the budget.

There are three distinct phases involved in the execution and maintenance of the Response model. The first phase is the CERCLIS/CERHELP data transfer process which transfers CERCLIS and CERHELP data into the workload model. The second phase assigns the remedial pipeline FTE. The third phase calculates total budget FTE aggregated by program area and region.

Data are accessed from CERCLIS/CERHELP for SCAP/SPMS targets and the development of the remedial pipeline of sites. Several data quality checks are then performed to identify projects which will not receive FTE. This step ensures that regions will only receive resources for projects which are properly planned and coded in CERCLIS. Data quality checks include:

- First/Subsequent Start and Completion Codes (FSS/FSC) -- identifies projects which are missing both FSS and FSC codes. It is permissible for a project to have one or the other, but a region will not receive FTE for a project which has neither.
- Planned Start and Completion Dates -- any project not having planned or actual start and completion dates will not receive FTE.
- Planned Obligations -- Projects planned to start which do not have planned obligations with approved funding are identified.
- SCAP/SPMS Codes -- projects containing a blank or a "P" in the SCAP/SPMS flag are eligible to receive FTE.
- Project Leads -- regions will not receive FTE for any project which does not have a lead. FTE are calculated using lead-specific pricing factors.
- Missed Targets -- the planning data in CERCLIS/CERHELP are compared to the targets file in CERHELP. Targets which were missed in previous years are identified and eliminated from the FTE calculations.

The model next calculates FTEs for each project and reduces the resources if concurrent activities are being conducted at sites with more than one operable unit. The last steps are the final program and region-specific distribution and the calibration of the model to the budget.

Exhibits VIII-1 and 2, on the following pages, are flowcharts for remedial pipeline information and processing.

TECHNICAL ENFORCEMENT MODEL

The FY90 Enforcement resource distribution methodology is intended to accomplish three significant goals:

- Provide a clear connection between resources and achievement of critical enforcement activities;
- Establish incentives to focus effort on most critical areas; and
- Involve regional and HQ managers in choosing targets for resource distribution.

EXHIBIT VIII-1

WORKLOAD MODEL OPERATIONS
REMEDIAL PIPELINE INFORMATION

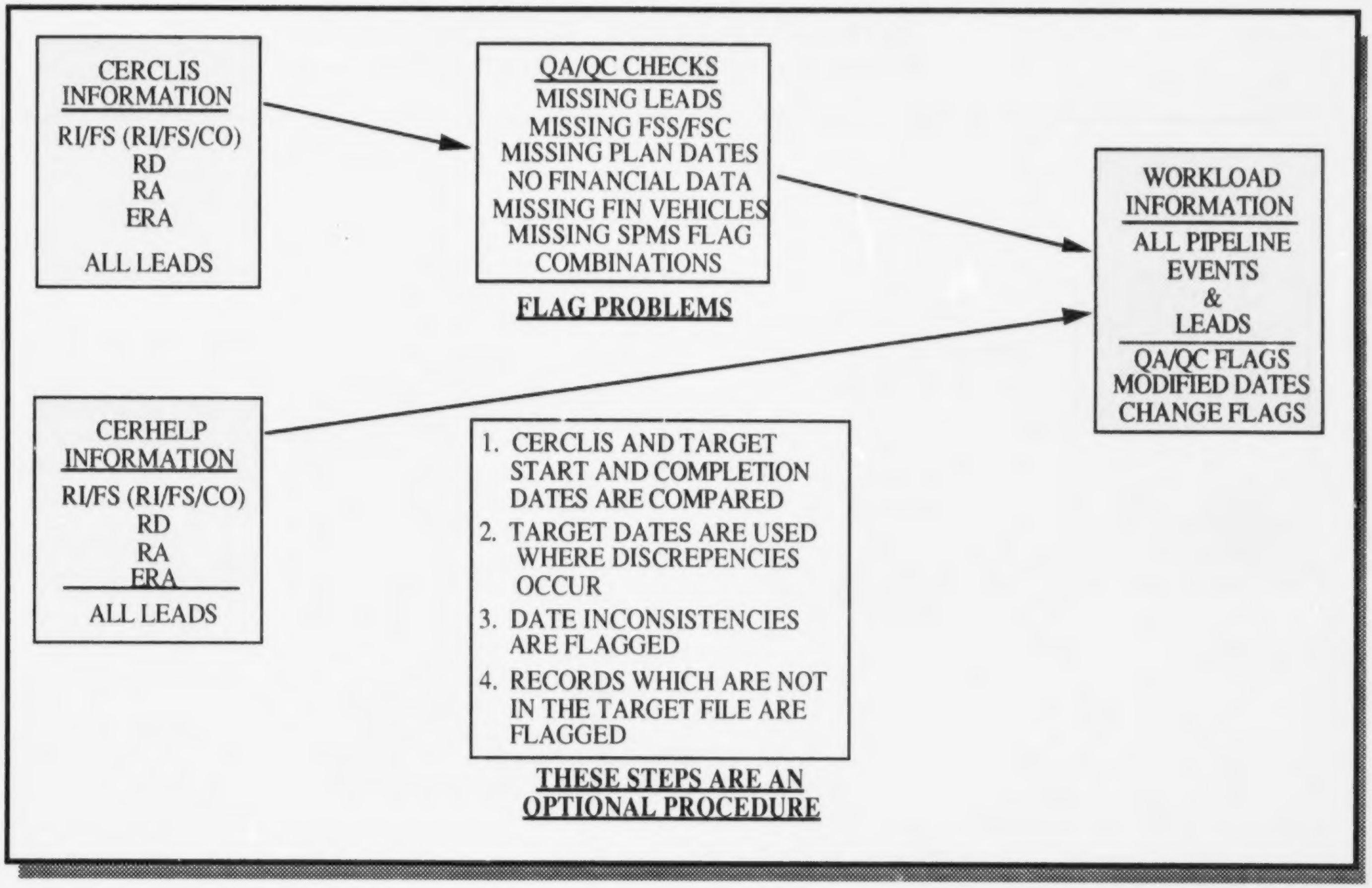
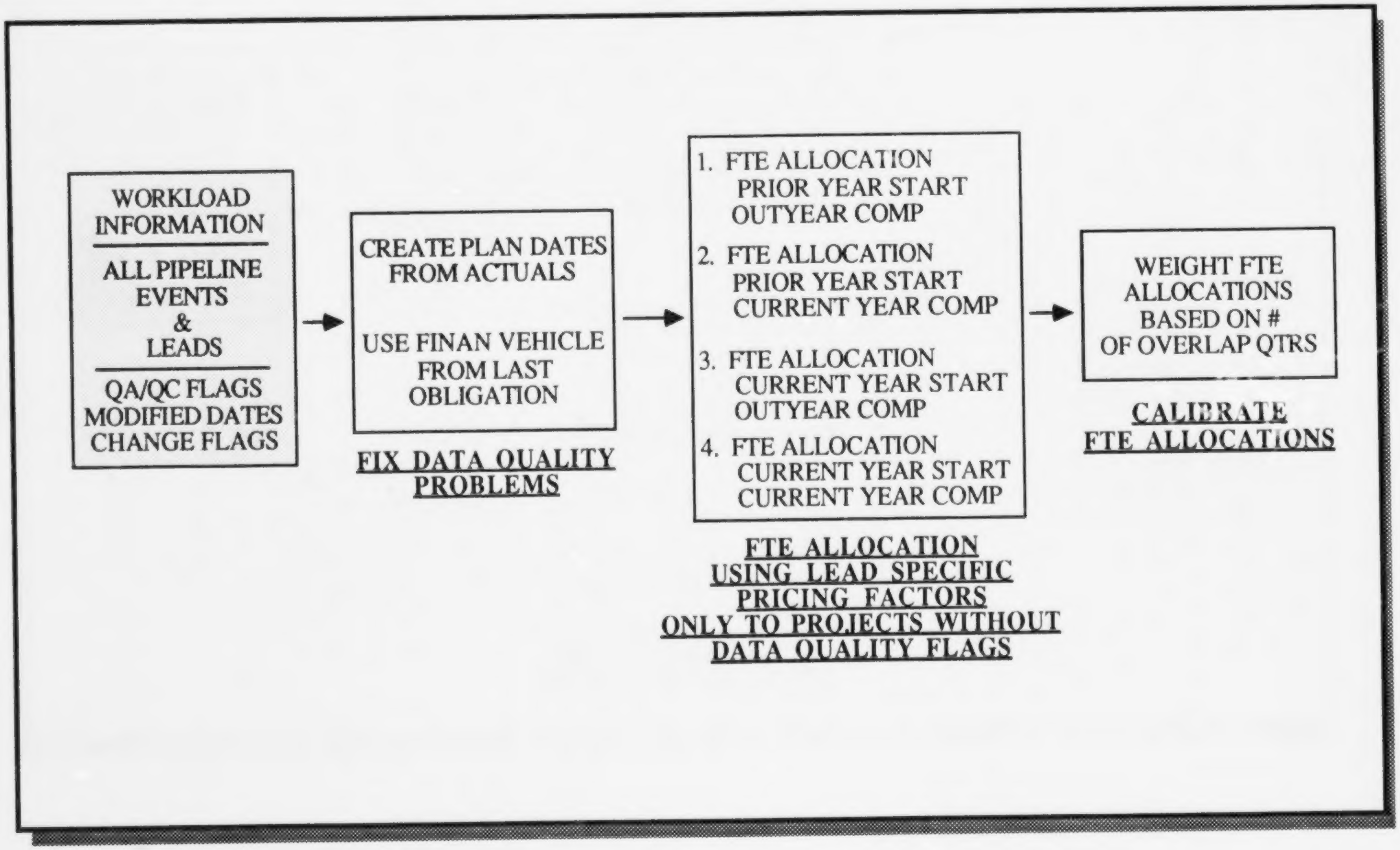

CERCLIS INFORMATION
RI/FS (RI/FS/CO)
RD
RA
ERA
ALL LEADS
CERHELP INFORMATION
RI/FS (RI/FS/CO)
RD
RA
ERA
ALL LEADS
QA/QC CHECKS
MISSING LEADS
MISSING FSS/FSC
MISSING PLAN DATES
NO FINANCIAL DATA
MISSING FIN VEHICLES
MISSING SPMS FLAG COMBINATIONS
FLAG PROBLEMS
1. CERCLIS AND TARGET START AND COMPLETION DATES ARE COMPARED
2. TARGET DATES ARE USED WHERE DISCREPENCIES OCCUR
3. DATE INCONSISTENCIES ARE FLAGGED
4. RECORDS WHICH ARE NOT IN THE TARGET FILE ARE FLAGGED
THESE STEPS ARE AN OPTIONAL PROCEDURE
WORKLOAD INFORMATION
ALL PIPELINE EVENTS & LEADS
QA/QC FLAGS
MODIFIED DATES
CHANGE FLAGS

EXHIBIT VIII-2

WORKLOAD MODEL OPERATIONS
REMEDIAL PIPELINE PROCESSING


WORKLOAD INFORMATION
ALL PIPELINE EVENTS & LEADS
QA/QC FLAGS
MODIFIED DATES
CHANGE FLAGS
CREATE PLAN DATES FROM ACTUALS
USE FINAN VEHICLE FROM LAST OBLIGATION
FIX DATA QUALITY PROBLEMS
1. FTE ALLOCATION PRIOR YEAR START OUTYEAR COMP
2. FTE ALLOCATION PRIOR YEAR START CURRENT YEAR COMP
3. FTE ALLOCATION CURRENT YEAR START OUTYEAR COMP
4. FTE ALLOCATION CURRENT YEAR START CURRENT YEAR COMP
FTE ALLOCATION USING LEAD SPECIFIC PRICING FACTORS ONLY TO PROJECTS WITHOUT DATA QUALITY FLAGS
WEIGHT FTE ALLOCATIONS BASED ON # OF OVERLAP QTRS
CALIBRATE FTE ALLOCATIONS

Developed by a joint regional/HQ group of key enforcement staff, the FY90 methodology is intended to:

- Focus the distribution of resources on a limited number of major activities, primarily those that are SPMS or SCAP targets;
- Fold the distribution of resources for functions closely associated with achieving the major target activities into the distribution of resources associated with the targets themselves. (For example, the removal start target will determine the share of resources for all activities attempting to achieve the PRP response, such as non-NPL search activities, negotiations and all enforcement actions);
- Introduce incentives for preliminary targets that take into account current regional program profile and past regional performance in achieving commitments;
- Make preliminary FTE and extramural resource estimates available for regional planning prior to negotiation of target commitments;
- Provide support for ongoing (non-targeted) enforcement activities based on standard pricing factors; and
- Continue to provide resources for support activities at a baseline level for all regions, not tied to output commitments.

Program Resource Assumptions

As presented to Congress, the budget for Superfund enforcement identifies categories of activity at a level of detail greater than that which the regional/HQ workgroup thought made sense for resource distribution. The group, therefore, identified certain budget items as subactivities which supported major target areas.

Because the FY90 methodology ties resources for certain subactivities to the distribution of resources for major targets, it depends on several sets of standard assumptions about which activities should be grouped together and the proportional relationships among those activities. Following is an explanation of those standard assumptions.

Removals

The FY90 budget provides resources for approximately 100 PRP searches at non-NPL sites; issuance of approximately 65 Administrative Orders (unilateral or on consent) for removals; and oversight of approximately 40 PRP removals. The resources for orders and removal oversight cover both NPL and non-NPL sites. Resources for PRP searches at NPL sites are included under the PRP RI/FS starts.

PRP RI/FS Starts

This category combines resources for NPL PRP searches, and RI/FS negotiations. The resources provided under this category cover NPL PRP searches and RI/FS negotiation. It is assumed that there is an approximate 2:1 ratio of PRP search and negotiations to each RI/FS start. (For example, if a region targets 10 PRP RI/FS starts, it is receiving resources for 20 PRP searches and 20 negotiations.) Although in some cases the PRP search resources will support RI/FS targets for the current year, most will probably support future RI/FS starts. It is therefore important that the regions carefully plan not only support for current year targets, but that it assess the impact of its searches on future years.

PRP RI/FS Oversight

This category distributes resources only for PRP RI/FS oversight. The FY90 budget was based on the assumptions of an average PRP RI/FS duration of ten quarters and fewer RI/FS projects in the pipeline. To the extent the average duration of RI/FS is greater than the ten quarters and the RI/FS have a full workload requirement, there are significant resource constraints. Adjustment of resources to fully support this area, if needed, will depend on decisions made in the context of the Superfund priority matrix presented in Chapter I. To the extent that additional resources are not forthcoming, each region should carefully review its program profile to determine if those commitments can be met without causing significant disruption to the progress of the program.

RD/RA Referrals

This category combines resources for RD/RA negotiation starts, unilateral Administrative Orders, NBAR and RD/RA referrals. The assumptions in the FY90 budget are that RD/RA negotiations will be attempted at all sites with viable PRPs, beginning the quarter of ROD signature, and that those negotiations will produce PRP responses, settlement or referral at 50% of the sites. Issuance of unilateral AOs is a presumed outcome of 40% of the Fund RD starts. Resources are included in the negotiations FTE at the rate of 1.6 negotiation (start) per referral targeted.

Because negotiations are presumed to take at least three quarters (on average), most of the referrals targeted for FY90 will be the result of negotiations which began (and received negotiation FTE) in FY89. The negotiations resources which are distributed in conjunction with the FY90 referral FTE are for starts which will produce either PRP or Fund RD starts in FY91.

Cost Recovery Referrals

This category combines resources for Section 107 Case Development, Referrals and Administrative Cost Recovery. The resources provided anticipate a stable number of remedial referrals. The Pre-RA (removal) pricing is estimated on average to be .45/referral. This is one half the .9 FTE level of effort of a remedial referral and the same for the extramural resources. Administrative and other small recovery actions are expected to average .3 FTE and 60% of the cost of a remedial referral. Priority will be placed on statute of limitation, remedial and other removal cases over $200K.

Ongoing Case Support -- Section 106, 106/107 and 107

The resources provided assume an average duration of 14 quarters from the point of referral to case resolution. To the extent that these cases (including those that settle prior to litigation) have a longer average duration, there could be significant resource constraints and resources may have to be shifted from other areas to support ongoing cases. Small cases such as access, liens and bankruptcy are not provided technical support resources. It is assumed that most of these cases will generally require only regional council support post-referral.

PRP/Sate (PS) Lead Sites

The resources provided assume an average cost of .75% of federal-lead/PRP site response. Because targeting new site-specific state lead commitments is a new initiative in the FY90 budget, no specific activity pricing was done. Instead, thirteen new sites were estimated for FY89 and an additional seventeen in FY90 for which generic site pricing was budgeted. The commitments anticipated are new enforceable agreements with either a site-specific RI/FS start or ROD. Resources for enforceable agreements where these site-specific commitments cannot be made are discussed below in the program implementation section.

Remedial RD/RA Enforcement (Compliance)

The resources provided assume approximately one half the sites with PRP response for design or remediation (at a cost of approximately one quarter of an FTE and $20,000) will require significant compliance enforcement for such activities as stipulated penalties, oversight recovery activities, dispute resolution and review of compliance schedules. This is a new activity in the FY90 budget.

Federal Facilities

Federal facilities resource distribution is managed somewhat differently than private sites because (1) many are "mega-sites" and (2) there is little historical data. Resources are distributed based on commitments to IAGs and activities (i.e., RI/FS, RD, RA) conducted pursuant to the IAGs. As we move towards FY91, regions and HQ will discuss modifying the current distribution process to account for regional performance in meeting SCAP/SPMS commitments.

For negotiations, the pricing factors are 0.27 FTE and $50K extramural monies. These resources are to be used for preparing for and conducting the negotiations as well as reviewing and preparing technical work plans.

All activities conducted pursuant to an IAG (i.e., RI/FS, RD/RA) are priced the same utilizing an operable unit, discounting approach which accounts for multiple, concurrent activities and economies of scale because the same Federal facility and contractors will be conducting the operable unit work.

The pricing factors are:

1st O.U.	.17 FTE/Qtr.; $20K/Qtr.
2nd O.U.	.12 FTE/Qtr.; $12K/Qtr.
Remaining O.U.s	.08 FTE/Qtr.; $8K/Qtr.

Priority is an ongoing work pursuant IAGs.

Program Implementation

The resources provided are primarily core management and non-site specific program implementation activities. The distribution methodology indicates the specific method used for each item. It should be noted that non-site specific resources are provided here for state coordination and enforcement agreements, Federal Facility support, reportable quantities, and civil investigators.

ACRONYMS

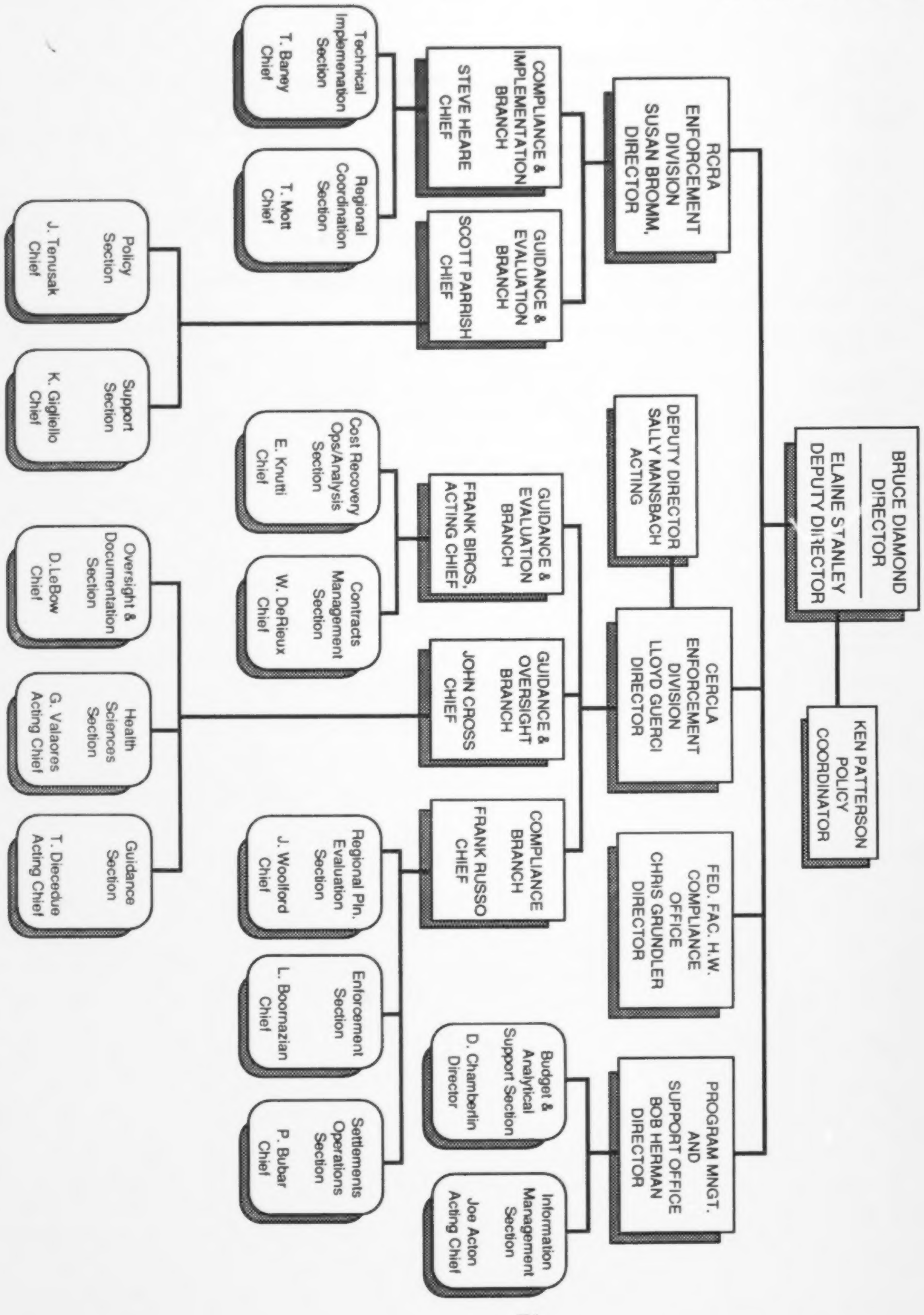
AA SWER --	Assistant Administrator Solid Waste and Emergency Response
AAU --	Administrative Assistance Unit
ADCR --	Automated Document Control Register
ADP --	Automated Data Processing
ALS --	Automated Litigation Support
ALT --	Alternate
AN --	Account Number
AO --	Administrative Order
AOA --	Advice of Allowance
APR --	Approved
AR --	Administrative Record
ARIP --	Accidental Release Information Program
ARCS --	Alternative Remedial Contracts Strategy
ASU --	Administrative Support Unit
BC/AOA --	Budget Control/Advice of Allowance
BFS --	Budget and Forecasting Section
CA --	Cooperative Agreement
CB --	Case Budget
CERCLA --	Comprehensive Environmental Response, Compensation, and Liability Act of 1980
CERCLIS --	Comprehensive Environmental Response, Compensation, and Liability Information System
CFMC --	Cincinnati Financial Management Center
CD --	Consent Decree
CPCA --	Core Program Cooperative Agreement
CLP --	Contract Laboratory Program
CN --	Commitment Notice
CO --	Contracting Officer
COE --	Corps of Engineers
CORA --	Cost of Remedial Action
CR --	Community Relations
CWA --	Clean Water Act
DCN --	Document Control Number
DCR --	Document Control Register
DOD --	Department of Defense
DOE --	Department of Energy
DOI --	Department of the Interior
DOJ --	Department of Justice
DPO --	Deputy Project Officer
CEPP --	Chemical Emergency Preparedness Program
EMI --	Environmental Priorities Initiative
EMSL --	Environmental Monitoring Systems Laboratory
ESF --	Emergency Support Function
ERA --	Expedited Response Action
ERCS --	Emergency Response Cleanup Services
ERD --	Emergency Response Division
EW --	Expert Witness
FAMS --	Financial and Administrative Management Systems
FCO --	Funds Certifying Officer
FE --	Federal Enforcement

FEMA --	Federal Emergency management Agency
FIT --	Field Investigation Team
FIRSTUP --	Financial Information Register Satellite Terminal User's Package
FMFIA --	Federal Managers Financial Intergrity Act
FMO --	Financial Management Officer
FMS --	Financial Management System
FOIA --	Freedom of Information Act
FS --	Feasibility Study
FSS/FSC --	First and Subsequent Start and First and Subsequent Completion
FTE --	Full-time Equivalent
FY --	Fiscal Year
GAD --	Grants Administration Division
HQ --	Headquarters
HRS --	Hazard Ranking System
IAG --	Interagency Agreement
IMC --	Information Management Coordinator
IRMs --	Initial Remedial Measures
LNRD --	Land and Natural Resources Division
LOC --	Letter of Credit
LSI --	Listing Site Inspection
MEP --	Maximum Extent Practicable
MES --	Management and Evaluation Section
MSCA --	Multi-Site Cooperative Agreement
NFRAP --	No Further Rremedial Action Planned
NBAR --	Non-Binding Allocation of Responsibility
NCP --	National Oil and Hazardous Substances Pollution Contingency Plan
NOAA --	National Oceanic and Atomspheric Administration
NPL --	National Priorities List
O&M/LTR --	Operations and Maintenance/Long Term Response
OERR --	Office of Emergency and Remedial Response
OMB --	Office of Management and Budget
OMSE --	Office of Management Systems and Evaluation
OPAC --	On-line Payment and Collections
OPM --	Office of Program Management
ORC --	Office of Regional Counsel
OSC --	On-Scene Coordinator
OSWER --	Office of Solid Waste and Emergency Response
OU --	Operable Unit
OWPE --	Office of Waste Programs Enforcement
PA --	Preliminary Assessment
P&CMD --	Procurement and Contracts Management
PMSO --	Program Management Support Office
PNRS --	Preliminary Natural Resource Surveys
PO --	Project Officer
PR --	Procurement Request
PRP --	Potentially Responsible Party
QA/QC --	Quality Assurance and Quality Control
RA --	Remedial Action
RCRC --	Regional Cost Recovery Coordinator
RD --	Remedial Design
REM --	Remedial Contractor
RI --	Remedial Investigation
RI/FS --	Remedial Investigation and Feasibility Study
ROD --	Record of Decision

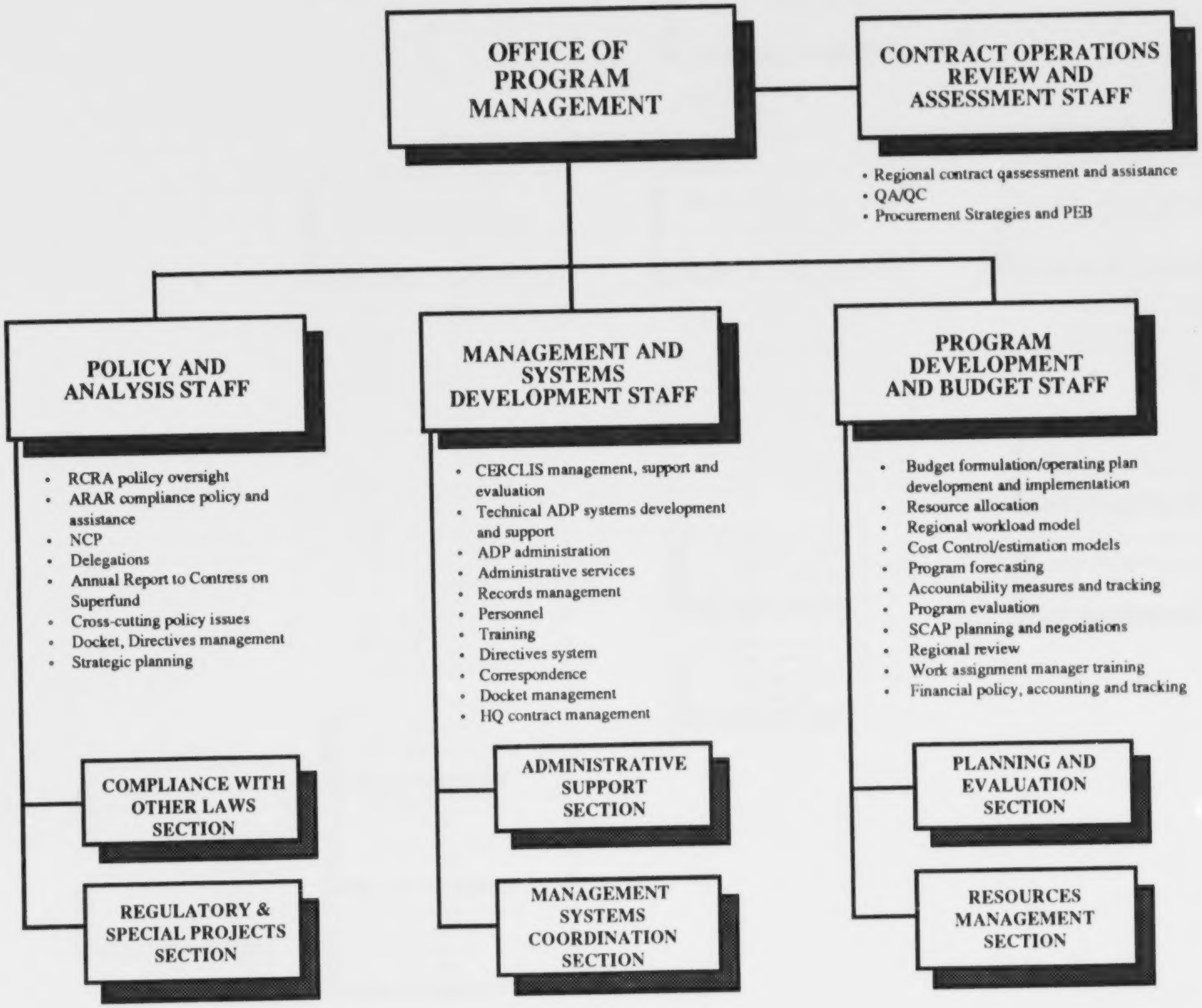
RP --	Responsible Party
RPIO --	Regional Planning and Implementing Officer
RPM --	Remedial Project Manager
RPO --	Remedial Project Officer
RRT --	Regional Response Team
RTP --	Research Triangle Park
RTS --	Removal Tracking System
SARA --	Superfund Amendments and Reauthorization Act of 1986
SCAP --	Superfund Comprehensive Accomplishments Plan
SFO --	Servicing Finance Officer
SIBAC --	Simplified Interagency Billing and Collection
SIF --	Site Information Form
SIM --	State Implementation Memorandum
SMOA --	State Memorandum of Agreement
SOL --	Statute of Limitations
SPCC --	Spill Prevention Control and Countermeasure
SPMS --	Strategic Planning and Management System
SPR --	Superfund Progress Report
SPUR --	Software Package for Unique Reports
SSC --	Superfund State Contracts
SSI --	Screening Site Inspection
S/S ID --	Site/Spill Identification Number
TAG --	Technical Assistance Grants
TAT --	Technical Assistance Team
TBD --	To Be Determined
TESWATS --	Technical Enforcement Support Work Assignment Tracking System
TES --	Technical Enforcement Support
USACE --	United States Army Corp of Engineers
USFWS --	United States Fish and Wildlife Service
USCG --	United States Coast Guard
WA --	Work Assignment

A1

OFFICE OF WASTE PROGRAMS ENFORCEMENT


BRUCE DIAMOND
DIRECTOR
ELAINE STANLEY
DEPUTY DIRECTOR
KEN PATTERSON
POLICY
COORDINATOR
RCRA
ENFORCEMENT
DIVISION
SUSAN BROMM,
DIRECTOR
COMPLIANCE &
IMPLEMENTATION
BRANCH
STEVE HEARE
CHIEF
Technical
Implemenation
Section
T. Baney
Chief
Regional
Coordination
Section
T. Mott
Chief
GUIDANCE &
EVALUATION
BRANCH
SCOTT PARRISH
CHIEF
Policy
Section
J. Tenusak
Chief
Support
Section
K. Gigliello
Chief
DEPUTY DIRECTOR
SALLY MANSBACH
ACTING
CERCLA
ENFORCEMENT
DIVISION
LLOYD GUERCI
DIRECTOR
GUIDANCE &
EVALUATION
BRANCH
FRANK BIROS,
ACTING CHIEF
Cost Recovery
Ops/Analysis
Section
E. Knutti
Chief
Contracts
Management
Section
W. DeRieux
Chief
GUIDANCE &
OVERSIGHT
BRANCH
JOHN CROSS
CHIEF
Oversight &
Documentation
Section
D.LeBow
Chief
Health
Sciences
Section
G. Valaores
Acting Chief
Guidance
Section
T. Diecedue
Acting Chief
COMPLIANCE
BRANCH
FRANK RUSSO
CHIEF
Regional Pln.
Evaluation
Section
J. Woolford
Chief
Enforcement
Section
L. Boornazian
Chief
Settlements
Operations
Section
P. Bubar
Chief
FED. FAC. H.W.
COMPLIANCE
OFFICE
CHRIS GRUNDLER
DIRECTOR
PROGRAM MNGT.
AND
SUPPORT OFFICE
BOB HERMAN
DIRECTOR
Budget &
Analytical
Support Section
D. Chamberlin
Director
Information
Management
Section
Joe Acton
Acting Chief

OFFICE OF PROGRAM MANAGEMENT



OFFICE OF PROGRAM MANAGEMENT

CONTRACT OPERATIONS REVIEW AND ASSESSMENT STAFF

- Regional contract qassessment and assistance
- QA/QC
- Procurement Strategies and PEB

POLICY AND ANALYSIS STAFF

- RCRA polilcy oversight
- ARAR compliance policy and assistance
- NCP
- Delegations
- Annual Report to Contress on Superfund
- Cross-cutting policy issues
- Docket, Directives management
- Strategic planning

COMPLIANCE WITH OTHER LAWS SECTION

REGULATORY & SPECIAL PROJECTS SECTION

MANAGEMENT AND SYSTEMS DEVELOPMENT STAFF

- CERCLIS management, support and evaluation
- Technical ADP systems development and support
- ADP administration
- Administrative services
- Records management
- Personnel
- Training
- Directives system
- Correspondence
- Docket management
- HQ contract management

ADMINISTRATIVE SUPPORT SECTION

MANAGEMENT SYSTEMS COORDINATION SECTION

PROGRAM DEVELOPMENT AND BUDGET STAFF

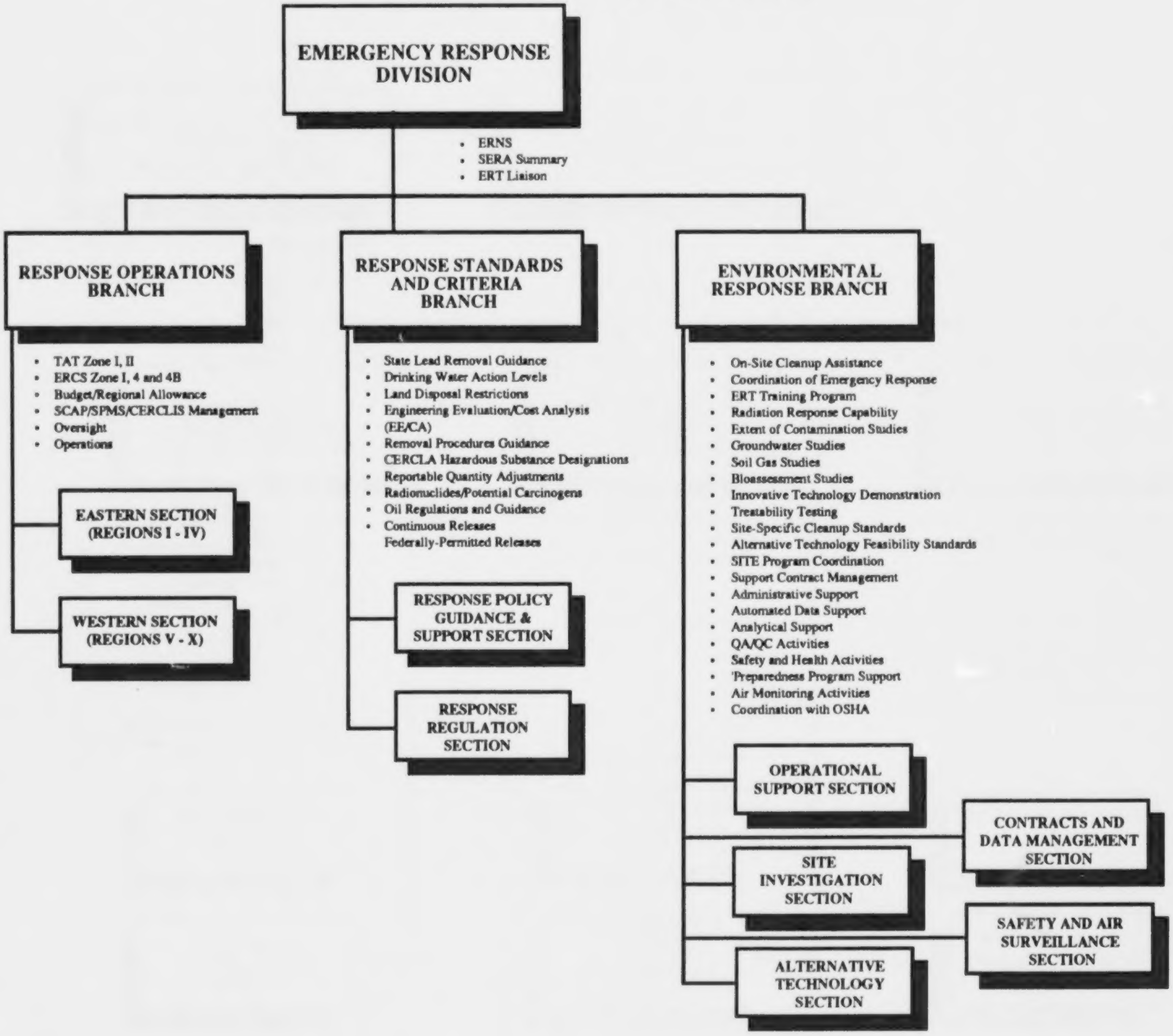
- Budget formulation/operating plan development and implementation
- Resource allocation
- Regional workload model
- Cost Control/estimation models
- Program forecasting
- Accountability measures and tracking
- Program evaluation
- SCAP planning and negotiations
- Regional review
- Work assignment manager training
- Financial policy, accounting and tracking

PLANNING AND EVALUATION SECTION

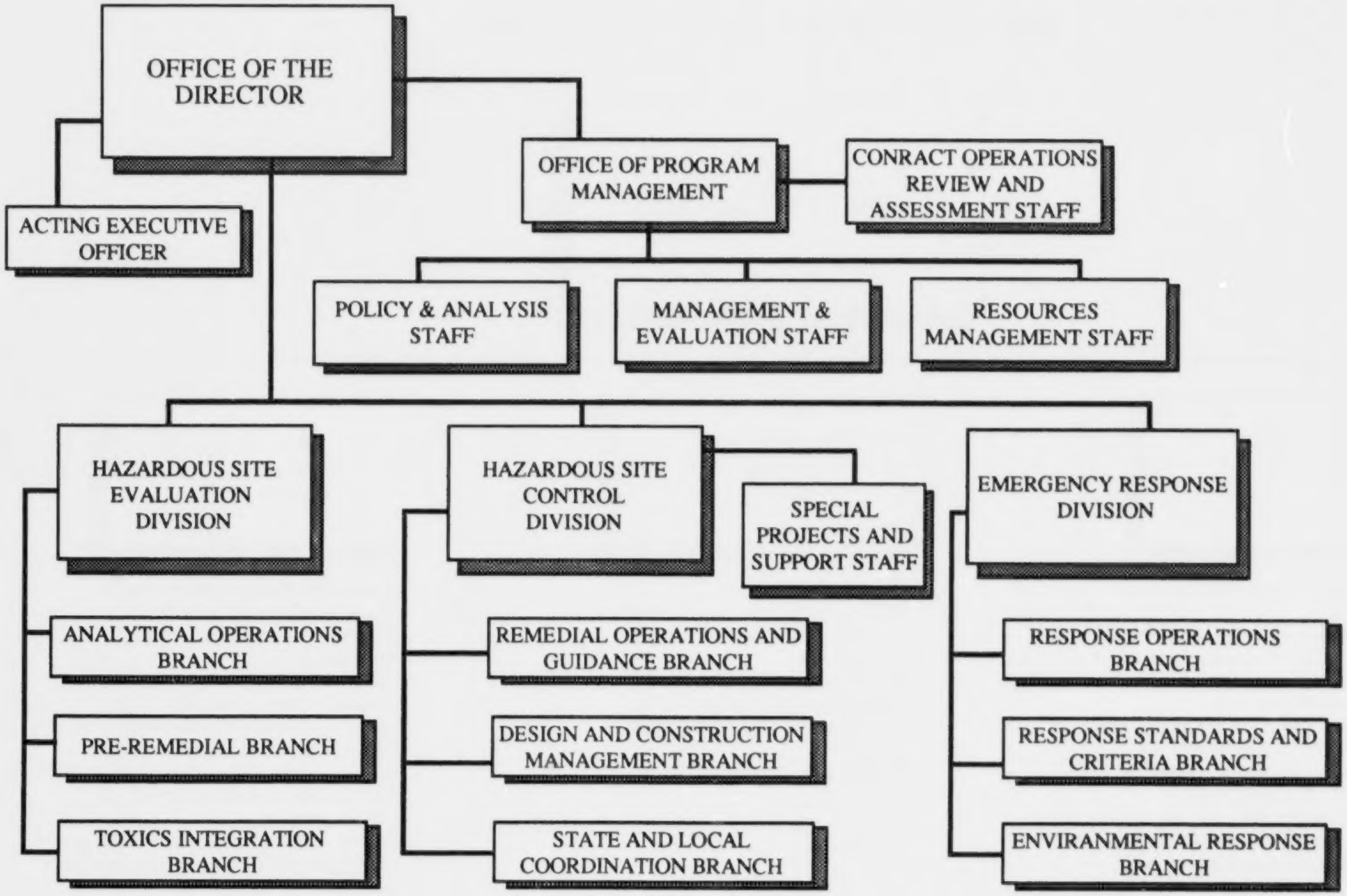
RESOURCES MANAGEMENT SECTION

IA

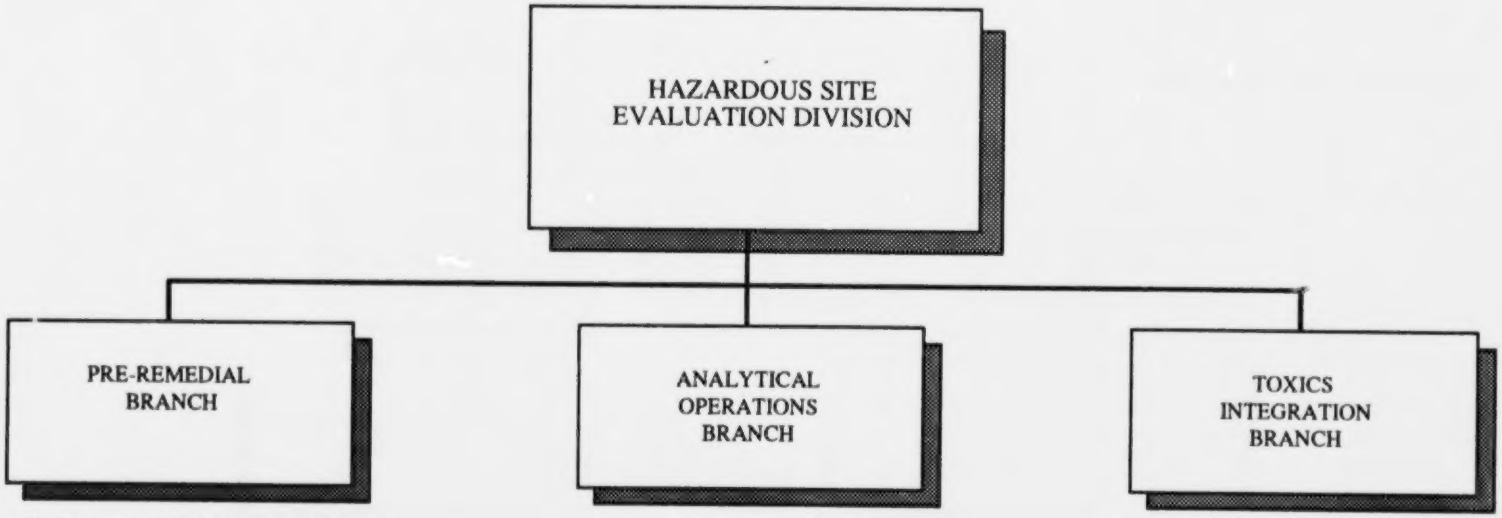
EMERGENCY RESPONSE DIVISION


EMERGENCY RESPONSE DIVISION
• ERNS
• SERA Summary
• ERT Liaison
RESPONSE OPERATIONS BRANCH
• TAT Zone I, II
• ERCS Zone I, 4 and 4B
• Budget/Regional Allowance
• SCAP/SPMS/CERCLIS Management
• Oversight
• Operations
EASTERN SECTION (REGIONS I - IV)
WESTERN SECTION (REGIONS V - X)
RESPONSE STANDARDS AND CRITERIA BRANCH
• State Lead Removal Guidance
• Drinking Water Action Levels
• Land Disposal Restrictions
• Engineering Evaluation/Cost Analysis
• (EE/CA)
• Removal Procedures Guidance
• CERCLA Hazardous Substance Designations
• Reportable Quantity Adjustments
• Radionuclides/Potential Carcinogens
• Oil Regulations and Guidance
• Continuous Releases
Federally-Permitted Releases
RESPONSE POLICY GUIDANCE & SUPPORT SECTION
RESPONSE REGULATION SECTION
ENVIRONMENTAL RESPONSE BRANCH
• On-Site Cleanup Assistance
• Coordination of Emergency Response
• ERT Training Program
• Radiation Response Capability
• Extent of Contamination Studies
• Groundwater Studies
• Soil Gas Studies
• Bioassessment Studies
• Innovative Technology Demonstration
• Treatability Testing
• Site-Specific Cleanup Standards
• Alternative Technology Feasibility Standards
• SITE Program Coordination
• Support Contract Management
• Administrative Support
• Automated Data Support
• Analytical Support
• QA/QC Activities
• Safety and Health Activities
• 'Preparedness Program Support
• Air Monitoring Activities
• Coordination with OSHA
OPERATIONAL SUPPORT SECTION
CONTRACTS AND DATA MANAGEMENT SECTION
SITE INVESTIGATION SECTION
SAFETY AND AIR SURVEILLANCE SECTION
ALTERNATIVE TECHNOLOGY SECTION

OFFICE OF EMERGENCY AND REMEDIAL RESPONSE


OFFICE OF THE DIRECTOR
ACTING EXECUTIVE OFFICER
OFFICE OF PROGRAM MANAGEMENT
CONRACT OPERATIONS REVIEW AND ASSESSMENT STAFF
POLICY & ANALYSIS STAFF
MANAGEMENT & EVALUATION STAFF
RESOURCES MANAGEMENT STAFF
HAZARDOUS SITE EVALUATION DIVISION
ANALYTICAL OPERATIONS BRANCH
PRE-REMEDIAL BRANCH
TOXICS INTEGRATION BRANCH
HAZARDOUS SITE CONTROL DIVISION
SPECIAL PROJECTS AND SUPPORT STAFF
REMEDIAL OPERATIONS AND GUIDANCE BRANCH
DESIGN AND CONSTRUCTION MANAGEMENT BRANCH
STATE AND LOCAL COORDINATION BRANCH
EMERGENCY RESPONSE DIVISION
RESPONSE OPERATIONS BRANCH
RESPONSE STANDARDS AND CRITERIA BRANCH
ENVIRANMENTAL RESPONSE BRANCH

HAZARDOUS SITE EVALUATION DIVISION


HAZARDOUS SITE EVALUATION DIVISION
PRE-REMEDIAL BRANCH
ANALYTICAL OPERATIONS BRANCH
TOXICS INTEGRATION BRANCH

PRE-REMEDIAL BRANCH

- Evaluate revised HRS for technical changes under SARA.
- Promulgate proposed and final HRS revisions.
- Develop and refine NPL eligibility policies.
- Develop and finalize NPL updates.
- Provide QA on NPL proposals.
- Improve quality of Regional NPL submissions.
- Phase-in new NPL support contract.
- Conduct pre-remedial background and field studies.
- Manage PA/SI LSI SCAP process.
- Develop PA/SI LSI guidance and training.
- Manage FIT contract to meet Region's needs and ensure proper contract oversight.

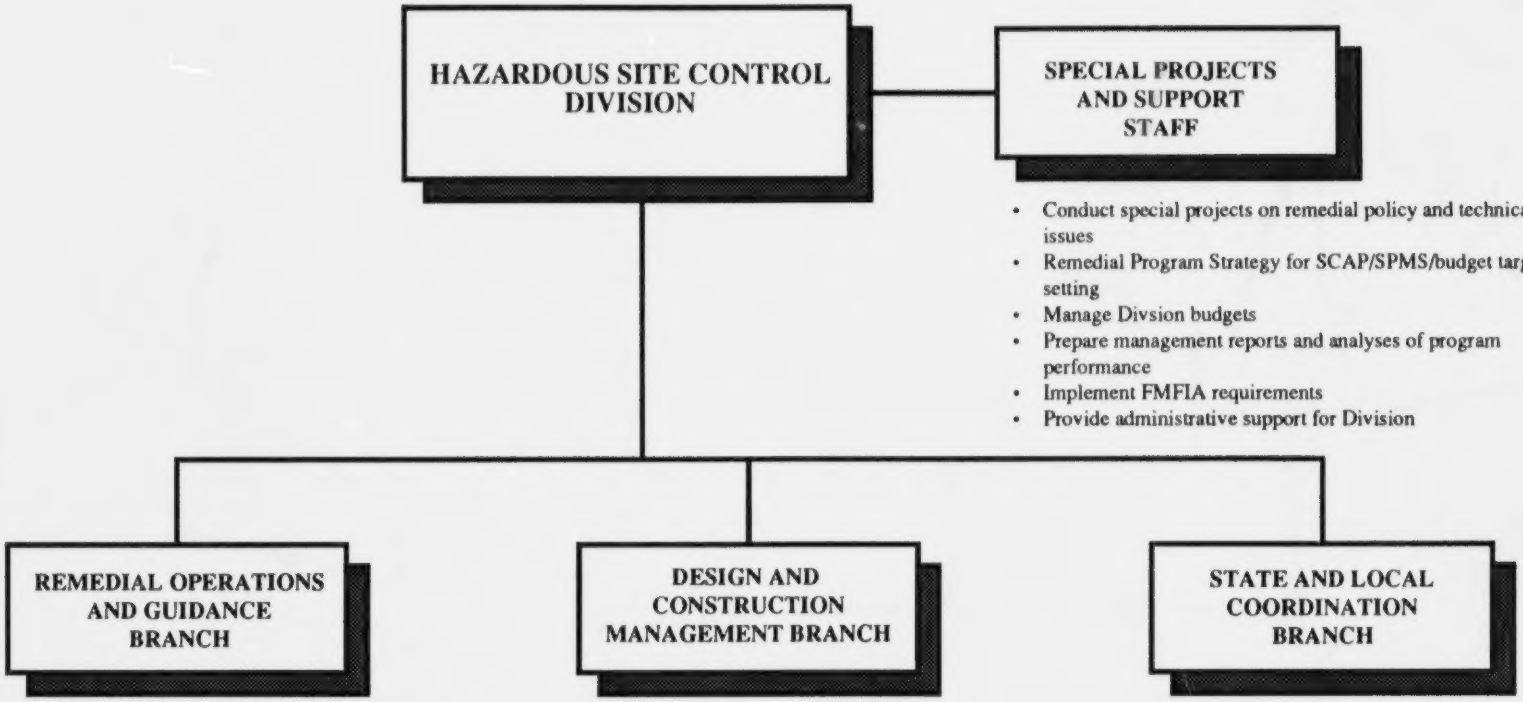
ANALYTICAL OPERATIONS BRANCH

- Ensure consistency of analytical methods.
- Develop organic and inorganic technical protocols and new CLP services.
- Manage ESAT.
- Manage Sample Management Ofice.
- Streamline analysis and data review.
- Establish national Q/A methods and procedures.
- Maintain analytical data base for sites.

TOXICS INTEGRATION BRANCH

- Manage risk assessment QA/QC program.
- Provide Regions with immediate expert health/environmental science responses to RI/FS issues.
- Update Superfund risk data bases and ensure consistency/utility of other data bases.
- Provide TA to Regions on the revised public health and ecological evaluation manuals.
- Coordinate with ATSDR and lead EPA/ATSDR dispute resolution process/follow-up on Regional problems.
- Evaluate results of Section 111 three-city lead pilot program for soil clean-up/blood-lead-level correlation.

HAZARDOUS SITE CONTROL DIVISION



HAZARDOUS SITE CONTROL DIVISION

SPECIAL PROJECTS AND SUPPORT STAFF

- Conduct special projects on remedial policy and technical issues
- Remedial Program Strategy for SCAP/SPMS/budget target setting
- Manage Divsion budgets
- Prepare management reports and analyses of program performance
- Implement FMFIA requirements
- Provide administrative support for Division

REMEDIAL OPERATIONS AND GUIDANCE BRANCH

- Provide Regional Coordinator support for RI/FS, RODs and post-ROD environmental review
- Support development of soil and debris land disposal restriction regulations
- Review and finalize NCP and RI/FS, selection of remedy, and ROD guidance
- Direct and evaluate improvements process
- Develop technical guidance implementation of treatability studies
- Provide information transfer support for ROD data and treatability studies
- Conduct quarterly and other programmatic reviews for RI/FS, ROD and post-ROD activity implementation

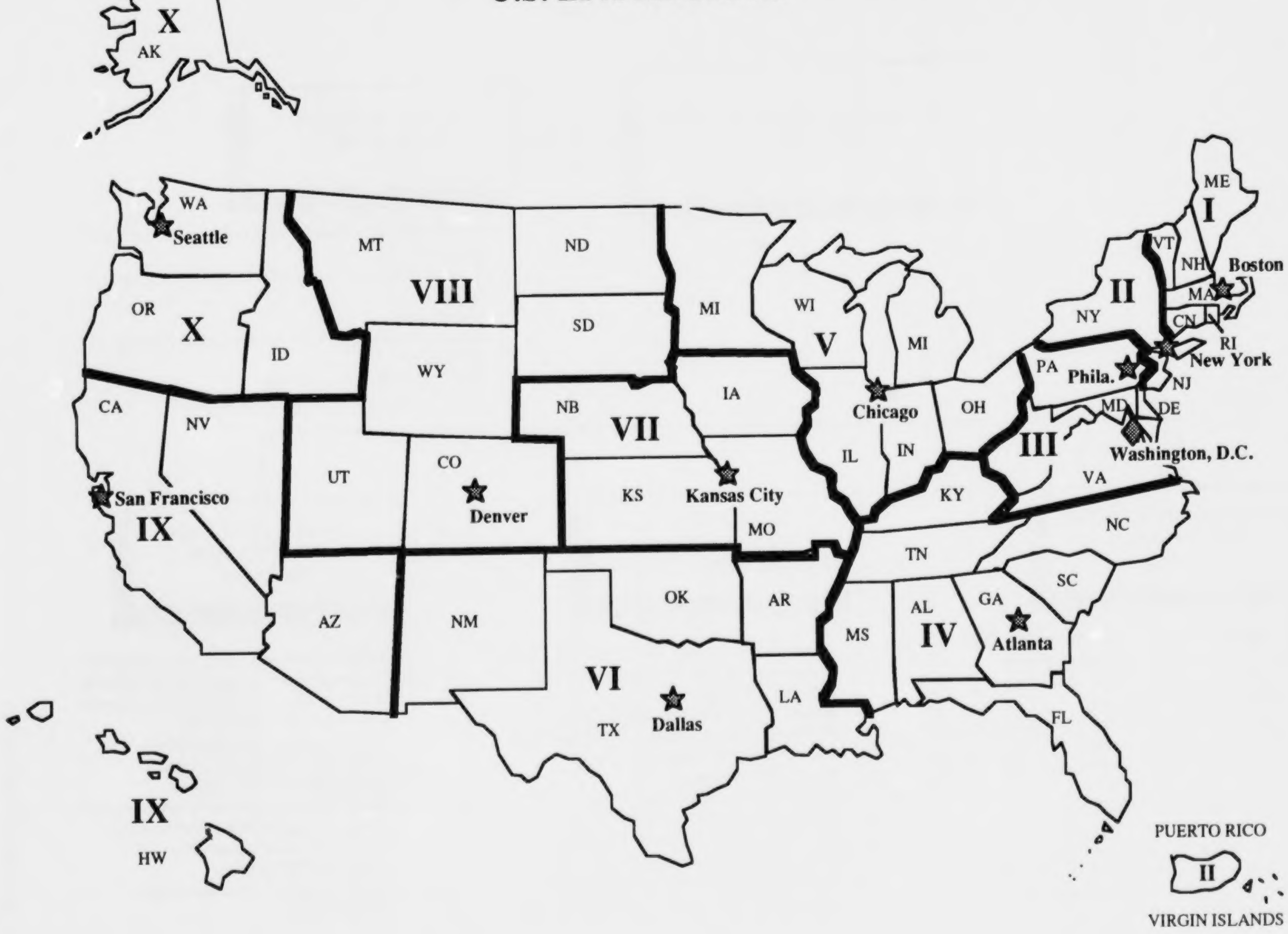
DESIGN AND CONSTRUCTION MANAGEMENT BRANCH

- Provide regional coordination support for RD/RA projects and completion/delegations for EPA, State and PRP projects
- Manage MOUs with Corps and BUREC
- Provide RD/RA management support, guidance, training and RD/RA Update
- Manage REM contracts
- Support implementation and program management of ARC's contracts
- Revise and implement RD/RA guidance
- Manage value engineering program
- Conduct quarterly and other programmatic reviews for RD/RA and completion/delegation

STATE AND LOCAL COORDINATION BRANCH

- Develop regulations, policy and guidance for State program development and participation
- Develop policy and guidance for participation of Indians in remedial program
- Conduct response agreement training
- Provide SSC management control
- Conduct Regional MAP reviews
- Manage and support response claims program
- Manage and support community relations and technical advisor grant programs
- Manage ASTSWMO grant
- Conduct program evaluations of State performance

U.S. EPA REGIONS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IV
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Atlanta
FL
IX
HW
PUERTO RICO
II
VIRGIN ISLANDS

EXECUTIVE SUMMARY

CHAPTER I PROGRAM GOALS AND EXPECTATIONS

CHAPTER II SUPERFUND COMPREHENSIVE ACCOMPLISHEMENTS PLAN AND PROCEDURES

CHAPTER III NATIONAL INFORMATION NEEDS

CHAPTER IV SCAP/SPMS TARGETS AND MEASURES

CHAPTER V PROGRAM PLANNING REQUIREMENTS AND PROCEDURES

CHAPTER VI FINANCIAL PLANNING AND MANAGEMENT

CHAPTER VII PROGRAM MANAGEMENT AND ASSESSMENT

CHAPTER VIII WORKLOAD MODELS